

In the House of Representatives, U. S.,

July 27, 1994.

Resolved, That the bill from the Senate (S. 21) entitled “An Act to designate certain lands in the California Desert as wilderness, to establish Death Valley, Joshua Tree, and Mojave National Parks, and for other purposes”, do pass with the following

AMENDMENTS:

Strike out all after the enacting clause, and insert:

1 *That this Act may be cited as the “California Desert Protec-*
2 *tion Act of 1994”.*

3 *FINDINGS AND POLICY*

4 *SEC. 2. (a) The Congress finds and declares that—*

5 *(1) the federally owned desert lands of Southern*
6 *California constitute a public wildland resource of ex-*
7 *traordinary and inestimable value for this and future*
8 *generations;*

9 *(2) these desert wildlands display unique scenic,*
10 *historical, archeological, environmental, ecological,*
11 *wildlife, cultural, scientific, educational, and rec-*
12 *reational values used and enjoyed by millions of*
13 *Americans for hiking and camping, scientific study*
14 *and scenic appreciation;*

1 (3) the public land resources of the California
2 desert now face and are increasingly threatened by
3 adverse pressures which would impair, dilute, and de-
4 stroy their public and natural values;

5 (4) the California desert, embracing wilderness
6 lands, units of the National Park System, other Fed-
7 eral lands, State parks and other State lands, and
8 private lands, constitutes a cohesive unit posing
9 unique and difficult resource protection and manage-
10 ment challenges;

11 (5) through designation of national monuments
12 by Presidential proclamation, through enactment of
13 general public land statutes (including section 601 of
14 the Federal Land Policy and Management Act of
15 1976, 90 Stat. 2743, 43 U.S.C. 1701 et seq.) and
16 through interim administrative actions, the Federal
17 Government has begun the process of appropriately
18 providing for protection of the significant resources of
19 the public lands in the California desert; and

20 (6) statutory land unit designations are needed
21 to afford the full protection which the resources and
22 public land values of the California desert merit.

23 (b) In order to secure for the American people of this
24 and future generations an enduring heritage of wilderness,
25 national parks, and public land values in the California

1 *desert, it is hereby declared to be the policy of the Congress*
2 *that—*

3 *(1) appropriate public lands in the California*
4 *desert shall be included within the National Park*
5 *System and the National Wilderness Preservation*
6 *System, in order to—*

7 *(A) preserve unrivaled scenic, geologic, and*
8 *wildlife values associated with these unique nat-*
9 *ural landscapes;*

10 *(B) perpetuate in their natural state sig-*
11 *nificant and diverse ecosystems of the California*
12 *desert;*

13 *(C) protect and preserve historical and cul-*
14 *tural values of the California desert associated*
15 *with ancient Indian cultures, patterns of western*
16 *exploration and settlement, and sites exemplify-*
17 *ing the mining, ranching and railroading his-*
18 *tory of the Old West;*

19 *(D) provide opportunities for compatible*
20 *outdoor public recreation, protect and interpret*
21 *ecological and geological features and historic,*
22 *paleontological, and archeological sites, maintain*
23 *wilderness resource values, and promote public*
24 *understanding and appreciation of the Califor-*
25 *nia desert; and*

1 (E) retain and enhance opportunities for
2 scientific research in undisturbed ecosystems.

3 TITLE I—WILDERNESS ADDITIONS

4 FINDINGS

5 SEC. 101. The Congress finds and declares that—

6 (1) wilderness is a distinguishing characteristic
7 of the public lands in the California desert, one which
8 affords an unrivaled opportunity for experiencing
9 vast areas of the Old West essentially unaltered by
10 man's activities, and which merits preservation for
11 the benefit of present and future generations;

12 (2) the wilderness values of desert lands are in-
13 creasingly threatened by and especially vulnerable to
14 impairment, alteration, and destruction by activities
15 and intrusions associated with incompatible use and
16 development; and

17 (3) preservation of desert wilderness necessarily
18 requires the highest forms of protective designation
19 and management.

20 DESIGNATION OF WILDERNESS

21 SEC. 102. In furtherance of the purpose of the Wilder-
22 ness Act (78 Stat. 890, 16 U.S.C. 1131 et seq.), and sections
23 601 and 603 of the Federal Land Policy and Management
24 Act of 1976 (90 Stat. 2743, 43 U.S.C. 1701 et seq.), the
25 following lands in the State of California, as generally de-
26 picted on maps referenced herein, are hereby designated as

1 *wilderness, and therefore, as components of the National*
2 *Wilderness Preservation System:*

3 (1) *Certain lands in the California Desert Con-*
4 *servation Area, of the Bureau of Land Management,*
5 *which comprise approximately seventy-four thousand*
6 *eight hundred and ninety acres, as generally depicted*
7 *on a map entitled “Argus Range Wilderness—Pro-*
8 *posed 1”, dated May 1991, and two maps entitled*
9 *“Argus Range Wilderness—Proposed 2” and “Argus*
10 *Range Wilderness—Proposed 3”, dated January*
11 *1989, and which shall be known as the Argus Range*
12 *Wilderness. If at any time within 15 years after the*
13 *date of enactment of this Act the Secretary of the*
14 *Navy notifies the Secretary of the Interior that per-*
15 *mission has been granted to use lands within the area*
16 *of the China Lake Naval Air Warfare Center for in-*
17 *stallation of a space energy laser facility, and that es-*
18 *tablishment of a right-of-way across lands within the*
19 *Argus Range Wilderness is desirable in order to fa-*
20 *cilitate access to the lands to be used for such facility,*
21 *the Secretary of the Interior, pursuant to the Federal*
22 *Land Policy and Management Act of 1976, may*
23 *grant a right-of-way for, and authorize construction*
24 *of, a road to be used solely for that purpose across*
25 *such lands, notwithstanding the designation of such*

1 *lands as wilderness. So far as practicable, any such*
2 *road shall be aligned in a manner that takes into ac-*
3 *count the desirability of minimizing adverse impacts*
4 *on wilderness values.*

5 *(2) Certain lands in the California Desert Con-*
6 *servation Area, of the Bureau of Land Management,*
7 *which comprise approximately ten thousand three*
8 *hundred and eighty acres, as generally depicted on a*
9 *map entitled "Bigelow Cholla Garden Wilderness—*
10 *Proposed", dated July 1993, and which shall be*
11 *known as the Bigelow Cholla Garden Wilderness.*

12 *(3) Certain lands in the California Desert Con-*
13 *servation Area, of the Bureau of Land Management,*
14 *and within the San Bernardino National Forest,*
15 *which comprise approximately thirty-nine thousand*
16 *two hundred acres, as generally depicted on a map*
17 *entitled "Bighorn Mountain Wilderness—Proposed",*
18 *dated September 1991, and which shall be known as*
19 *the Bighorn Mountain Wilderness.*

20 *(4) Certain lands in the California Desert Con-*
21 *servation Area and the Yuma District, of the Bureau*
22 *of Land Management, which comprise approximately*
23 *forty-seven thousand five hundred and seventy acres,*
24 *as generally depicted on a map entitled "Big Maria*
25 *Mountains Wilderness—Proposed", dated February*

1 1986, and which shall be known as the Big Maria
2 Mountains Wilderness.

3 (5) Certain lands in the California Desert Con-
4 servation Area, of the Bureau of Land Management,
5 which comprise approximately thirteen thousand nine
6 hundred and forty acres, as generally depicted on a
7 map entitled “Black Mountain Wilderness—Pro-
8 posed”, dated July 1993, and which shall be known
9 as the Black Mountain Wilderness.

10 (6) Certain lands in the California Desert Con-
11 servation Area, of the Bureau of Land Management,
12 which comprise approximately nine thousand five
13 hundred and twenty acres, as generally depicted on a
14 map entitled “Bright Star Wilderness—Proposed”,
15 dated May 1991, and which shall be known as the
16 Bright Star Wilderness.

17 (7) Certain lands in the California Desert Con-
18 servation Area, of the Bureau of Land Management,
19 which comprise approximately sixty-eight thousand
20 five hundred and fifteen acres, as generally depicted
21 on two maps entitled “Bristol Mountains Wilder-
22 ness—Proposed 1”, and “Bristol Mountains Wilder-
23 ness—Proposed 2”, dated September 1991, and which
24 shall be known as Bristol Mountains Wilderness.

1 (8) *Certain lands in the California Desert Con-*
2 *servation Area, of the Bureau of Land Management,*
3 *which comprise approximately thirty-nine thousand*
4 *seven hundred and forty acres, as generally depicted*
5 *on a map entitled “Cadiz Dunes Wilderness—Pro-*
6 *posed”, dated July 1993, and which shall be known*
7 *as the Cadiz Dunes Wilderness.*

8 (9) *Certain lands in the California Desert Con-*
9 *servation Area, of the Bureau of Land Management,*
10 *which comprise approximately eighty-four thousand*
11 *four hundred acres, as generally depicted on a map*
12 *entitled “Cady Mountains Wilderness—Proposed”,*
13 *dated July 1993, and which shall be known as the*
14 *Cady Mountains Wilderness.*

15 (10) *Certain lands in the California Desert Con-*
16 *servation Area and Eastern San Diego County, of the*
17 *Bureau of Land Management, which comprise ap-*
18 *proximately fifteen thousand seven hundred acres, as*
19 *generally depicted on a map entitled “Carrizo Gorge*
20 *Wilderness—Proposed”, dated February 1986, and*
21 *which shall be known as the Carrizo Gorge Wilder-*
22 *ness.*

23 (11) *Certain lands in the California Desert Con-*
24 *servation Area and Yuma District, of the Bureau of*
25 *Land Management, which comprise approximately*

1 *sixty-four thousand three hundred and twenty acres,*
2 *as generally depicted on a map entitled “Chemehuevi*
3 *Mountains Wilderness—Proposed”, dated July 1993,*
4 *and which shall be known as the Chemehuevi Moun-*
5 *tains Wilderness.*

6 *(12) Certain lands in the Bakersfield District, of*
7 *the Bureau of Land Management, which comprise ap-*
8 *proximately thirteen thousand seven hundred acres,*
9 *as generally depicted on two maps entitled “Chimney*
10 *Peak Wilderness—Proposed 1” and “Chimney Peak*
11 *Wilderness—Proposed 2”, dated May 1991, and*
12 *which shall be known as the Chimney Peak Wilder-*
13 *ness.*

14 *(13) Certain lands in the California Desert Con-*
15 *servation Area, of the Bureau of Land Management,*
16 *which comprise approximately one hundred fifty-eight*
17 *thousand nine hundred and fifty acres, as generally*
18 *depicted on two maps entitled “Chuckwalla Moun-*
19 *tains Wilderness—Proposed 1” and “Chuckwalla*
20 *Mountains Wilderness—Proposed 2”, dated January*
21 *1989, and which shall be known as the Chuckwalla*
22 *Mountains Wilderness.*

23 *(14) Certain lands in the California Desert Con-*
24 *servation Area, of the Bureau of Land Management,*
25 *which comprise thirty-four thousand three hundred*

1 *and eighty acres, as generally depicted on a map en-*
2 *titled “Cleghorn Lakes Wilderness—Proposed”, dated*
3 *September 1991, and which shall be known as the*
4 *Cleghorn Lakes Wilderness. The Secretary may, pur-*
5 *suant to an application filed by the Department of*
6 *Defense, grant a right-of-way for, and authorize con-*
7 *struction of, a road and utilities within the area de-*
8 *icted as “nonwilderness road corridor” on such map.*

9 *(15) Certain lands in the California Desert Con-*
10 *servation Area, of the Bureau of Land Management,*
11 *which comprise approximately forty thousand acres,*
12 *as generally depicted on a map entitled “Clipper*
13 *Mountain Wilderness—Proposed”, dated May 1991,*
14 *and which shall be known as Clipper Mountain Wil-*
15 *derness.*

16 *(16) Certain lands in the California Desert Con-*
17 *servation Area, of the Bureau of Land Management,*
18 *which comprise approximately fifty thousand five*
19 *hundred and twenty acres, as generally depicted on a*
20 *map entitled “Coso Range Wilderness—Proposed”,*
21 *dated May 1991, and which shall be known as Coso*
22 *Range Wilderness.*

23 *(17) Certain lands in the California Desert Con-*
24 *servation Area, of the Bureau of Land Management,*
25 *which comprise approximately seventeen thousand*

1 *acres, as generally depicted on a map entitled “Coyote Mountains Wilderness—Proposed”, dated July*
2
3 *1993, and which shall be known as Coyote Mountains*
4 *Wilderness.*

5 *(18) Certain lands in the California Desert Conservation Area, of the Bureau of Land Management,*
6 *which comprise approximately eight thousand six*
7 *hundred acres, as generally depicted on a map entitled “Darwin Falls Wilderness—Proposed”, dated*
8 *May 1991, and which shall be known as Darwin*
9 *Falls Wilderness.*

12 *(19) Certain lands in the California Desert Conservation Area and the Yuma District, of the Bureau*
13 *of Land Management, which comprise approximately*
14 *forty-eight thousand eight hundred and fifty acres, as*
15 *generally depicted on a map entitled “Dead Mountains Wilderness—Proposed”, dated October 1991,*
16 *and which shall be known as Dead Mountains Wilderness.*

20 *(20) Certain lands in the Bakersfield District, of the Bureau of Land Management, which comprise approximately thirty-six thousand three hundred acres,*
21 *as generally depicted on two maps entitled*
22 *“Domeland Wilderness Additions—Proposed 1” and*
23 *“Domeland Wilderness Additions—Proposed 2”,*
24
25

1 *dated February 1986 and which are hereby incor-*
2 *porated in, and which shall be deemed to be a part*
3 *of, the Domeland Wilderness as designated by Public*
4 *Laws 93–632 and 98–425.*

5 *(21) Certain lands in the California Desert Con-*
6 *servation Area, of the Bureau of Land Management,*
7 *which comprise approximately twenty-three thousand*
8 *seven hundred and eighty acres, as generally depicted*
9 *on a map entitled “El Paso Mountains Wilderness—*
10 *Proposed”, dated July 1993, and which shall be*
11 *known as the El Paso Mountains Wilderness.*

12 *(22) Certain lands in the California Desert Con-*
13 *servation Area, of the Bureau of Land Management,*
14 *which comprise approximately twenty-five thousand*
15 *nine hundred and forty acres, as generally depicted*
16 *on a map entitled “Fish Creek Mountains Wilder-*
17 *ness—Proposed”, dated July 1993, and which shall be*
18 *known as Fish Creek Mountains Wilderness.*

19 *(23) Certain lands in the California Desert Con-*
20 *servation Area, of the Bureau of Land Management,*
21 *which comprise approximately twenty-eight thousand*
22 *one hundred and ten acres, as generally depicted on*
23 *a map entitled “Funeral Mountains Wilderness—Pro-*
24 *posed”, dated May 1991, and which shall be known*
25 *as Funeral Mountains Wilderness.*

1 (24) *Certain lands in the California Desert Con-*
2 *servation Area, of the Bureau of Land Management,*
3 *which comprise approximately thirty-seven thousand*
4 *seven hundred acres, as generally depicted on a map*
5 *entitled “Golden Valley Wilderness—Proposed”, dated*
6 *February 1986 and which shall be known as Golden*
7 *Valley Wilderness.*

8 (25) *Certain lands in the California Desert Con-*
9 *servation Area, of the Bureau of Land Management,*
10 *which comprise approximately thirty-one thousand*
11 *seven hundred and twenty acres, as generally depicted*
12 *on a map entitled “Grass Valley Wilderness—Pro-*
13 *posed”, dated February 1986 and which shall be*
14 *known as the Grass Valley Wilderness.*

15 (26) *Certain lands in the California Desert Con-*
16 *servation Area, of the Bureau of Land Management,*
17 *which comprise approximately twenty-two thousand*
18 *two hundred and forty acres, as generally depicted on*
19 *a map entitled “Hollow Hills Wilderness—Proposed”,*
20 *dated May 1991, and which shall be known as the*
21 *Hollow Hills Wilderness.*

22 (27) *Certain lands in the California Desert Con-*
23 *servation Area, of the Bureau of Land Management,*
24 *which comprise approximately twenty-six thousand*
25 *four hundred and sixty acres, as generally depicted on*

1 *a map entitled “Ibex Wilderness—Proposed”, dated*
2 *May 1991, and which shall be known as the Ibex Wil-*
3 *derness.*

4 *(28) Certain lands in the California Desert Con-*
5 *servation Area, of the Bureau of Land Management,*
6 *which comprise approximately thirty-four thousand*
7 *and fifty-five acres, as generally depicted on a map*
8 *entitled “Indian Pass Wilderness—Proposed”, dated*
9 *May 1994, and which shall be known as the Indian*
10 *Pass Wilderness.*

11 *(29) Certain lands in the California Desert Con-*
12 *servation Area and the Bakersfield District, of the*
13 *Bureau of Land Management, and within the Inyo*
14 *National Forest, which comprise approximately two*
15 *hundred five thousand and twenty acres, as generally*
16 *depicted on three maps entitled “Inyo Mountains Wil-*
17 *derness—Proposed”, numbered in the title one*
18 *through three, and dated May 1991, and which shall*
19 *be known as the Inyo Mountains Wilderness.*

20 *(30) Certain lands in the California Desert Con-*
21 *servation Area, of the Bureau of Land Management,*
22 *which comprise approximately thirty-three thousand*
23 *six hundred and seventy acres, as generally depicted*
24 *on a map entitled “Jacumba Wilderness—Proposed”,*

1 *dated July 1993, and which shall be known as the*
2 *Jacumba Wilderness.*

3 *(31) Certain lands in the California Desert Con-*
4 *servation Area, of the Bureau of Land Management,*
5 *which comprise approximately one hundred and*
6 *twenty-nine thousand five hundred and eighty acres,*
7 *as generally depicted on a map entitled “Kelso Dunes*
8 *Wilderness—Proposed 1”, dated October 1991, a map*
9 *entitled “Kelso Dunes Wilderness—Proposed 2”,*
10 *dated May 1991, and a map entitled “Kelso Dunes*
11 *Wilderness—Proposed 3”, dated September 1991, and*
12 *which shall be known as the Kelso Dunes Wilderness.*

13 *(32) Certain lands in the California Desert Con-*
14 *servation Area, of the Bureau of Land Management,*
15 *and the Sequoia National Forest, which comprise ap-*
16 *proximately eighty-eight thousand two hundred and*
17 *ninety acres, as generally depicted on a map entitled*
18 *“Kiavah Wilderness—Proposed 1”, dated February*
19 *1986, and a map entitled “Kiavah Wilderness—Pro-*
20 *posed 2”, dated May 1991, and which shall be known*
21 *as the Kiavah Wilderness.*

22 *(33) Certain lands in the California Desert Con-*
23 *servation Area, of the Bureau of Land Management,*
24 *which comprise approximately two hundred nine*
25 *thousand six hundred and eight acres, as generally*

1 *depicted on four maps entitled “Kingston Range Wil-*
2 *derness—Proposed”, numbered in the title one*
3 *through four dated May 1994, and which shall be*
4 *known as the Kingston Range Wilderness.*

5 *(34) Certain lands in the California Desert Con-*
6 *servation Area, of the Bureau of Land Management,*
7 *which comprise approximately twenty-nine thousand*
8 *eight hundred and eighty acres, as generally depicted*
9 *on a map entitled “Little Chuckwalla Mountains Wil-*
10 *derness—Proposed”, dated July 1993, and which*
11 *shall be known as the Little Chuckwalla Mountains*
12 *Wilderness.*

13 *(35) Certain lands in the California Desert Con-*
14 *servation Area and the Yuma District, of the Bureau*
15 *of Land Management, which comprise approximately*
16 *thirty-three thousand six hundred acres, as generally*
17 *depicted on a map entitled “Little Picacho Wilder-*
18 *ness—Proposed”, dated July 1993, and which shall be*
19 *known as the Little Picacho Wilderness.*

20 *(36) Certain lands in the California Desert Con-*
21 *servation Area, of the Bureau of Land Management,*
22 *which comprise approximately thirty-two thousand*
23 *three hundred and sixty acres, as generally depicted*
24 *on a map entitled “Malpais Mesa Wilderness—Pro-*

1 *posed”, dated September 1991, and which shall be*
2 *known as the Malpais Mesa Wilderness.*

3 *(37) Certain lands in the California Desert Con-*
4 *servation Area, of the Bureau of Land Management,*
5 *which comprise approximately sixteen thousand one*
6 *hundred and five acres, as generally depicted on a*
7 *map entitled “Manly Peak Wilderness—Proposed”,*
8 *dated October 1991, and which shall be known as the*
9 *Manly Peak Wilderness.*

10 *(38) Certain lands in the California Desert Con-*
11 *servation Area, of the Bureau of Land Management,*
12 *which comprise approximately twenty-four thousand*
13 *two hundred acres, as generally depicted on a map*
14 *entitled “Mecca Hills Wilderness—Proposed”, dated*
15 *July 1993, and which shall be known as the Mecca*
16 *Hills Wilderness.*

17 *(39) Certain lands in the California Desert Con-*
18 *servation Area, of the Bureau of Land Management,*
19 *which comprise approximately forty-seven thousand*
20 *three hundred and thirty acres, as generally depicted*
21 *on a map entitled “Mesquite Wilderness—Proposed”,*
22 *dated May 1991, and which shall be known as the*
23 *Mesquite Wilderness.*

24 *(40) Certain lands in the California Desert Con-*
25 *servation Area, of the Bureau of Land Management,*

1 *which comprise approximately twenty-two thousand*
2 *nine hundred acres, as generally depicted on a map*
3 *entitled “Newberry Mountains Wilderness—Pro-*
4 *posed”, dated February 1986, and which shall be*
5 *known as the Newberry Mountains Wilderness.*

6 *(41) Certain lands in the California Desert Con-*
7 *servation Area, of the Bureau of Land Management,*
8 *which comprise approximately one hundred ten thou-*
9 *sand eight hundred and sixty acres, as generally de-*
10 *icted on a map entitled “Nopah Range Wilderness—*
11 *Proposed”, dated July 1993, and which shall be*
12 *known as the Nopah Range Wilderness.*

13 *(42) Certain lands in the California Desert Con-*
14 *servation Area, of the Bureau of Land Management,*
15 *which comprise approximately thirty-two thousand*
16 *two hundred and forty acres, as generally depicted on*
17 *a map entitled “North Algodones Dunes Wilderness—*
18 *Proposed”, dated October 1991, and which shall be*
19 *known as the North Algodones Dunes Wilderness.*

20 *(43) Certain lands in the California Desert Con-*
21 *servation Area, of the Bureau of Land Management,*
22 *which comprise approximately twenty-five thousand*
23 *five hundred and forty acres, as generally depicted on*
24 *a map entitled “North Mesquite Mountains Wilder-*

1 *ness—Proposed”, dated May 1991, and which shall be*
2 *known as the North Mesquite Mountains Wilderness.*

3 (44) *Certain lands in the California Desert Con-*
4 *servation Area, of the Bureau of Land Management,*
5 *which comprise approximately one hundred forty-six*
6 *thousand and seventy acres, as generally depicted on*
7 *a map entitled “Old Woman Mountains Wilderness—*
8 *Proposed 1”, dated May 1994 and a map entitled*
9 *“Old Woman Mountains Wilderness—Proposed 2”,*
10 *dated October 1991, and which shall be known as the*
11 *Old Woman Mountains Wilderness.*

12 (45) *Certain lands in the California Desert Con-*
13 *servation Area, of the Bureau of Land Management,*
14 *which comprise approximately fifty-seven thousand*
15 *four hundred and eighty acres, as generally depicted*
16 *on a map entitled “Orocopia Mountains Wilderness—*
17 *Proposed”, dated May 1994, and which shall be*
18 *known as the Orocopia Mountains Wilderness.*

19 (46) *Certain lands in the California Desert Con-*
20 *servation Area and the Bakersfield District, of the*
21 *Bureau of Land Management, which comprise ap-*
22 *proximately seventy-four thousand six hundred and*
23 *forty acres, as generally depicted on a map entitled*
24 *“Owens Peak Wilderness—Proposed 1”, dated Feb-*
25 *ruary 1986, and two maps entitled “Owens Peak Wil-*

1 *derness—Proposed 2” dated February 1986 and*
 2 *“Owens Peak Wilderness—Proposed 3”, dated May*
 3 *1991, and which shall be known as the Owens Peak*
 4 *Wilderness.*

5 *(47) Certain lands in the California Desert Con-*
 6 *servation Area, of the Bureau of Land Management,*
 7 *which comprise approximately seventy-four thousand*
 8 *eight hundred acres, as generally depicted on a map*
 9 *entitled “Pahrump Valley Wilderness—Proposed”,*
 10 *dated February 1986 and which shall be known as the*
 11 *Pahrump Valley Wilderness.*

12 *(48) Certain lands in the California Desert Con-*
 13 *servation Area, of the Bureau of Land Management,*
 14 *which comprise approximately two hundred seventy*
 15 *thousand six hundred and twenty-nine acres, as gen-*
 16 *erally depicted on a map entitled “Palen/McCoy Wil-*
 17 *derness—Proposed 1”, dated July 1993, and a map*
 18 *entitled “Palen/McCoy Wilderness—Proposed 2”,*
 19 *dated July 1993, and which shall be known as the*
 20 *Palen/McCoy Wilderness.*

21 *(49) Certain lands in the California Desert Con-*
 22 *servation Area, of the Bureau of Land Management,*
 23 *which comprise approximately thirty-two thousand*
 24 *three hundred and ten acres, as generally depicted on*
 25 *a map entitled “Palo Verde Mountains Wilderness—*

1 *Proposed*”, dated July 1993, and which shall be
2 known as the Palo Verde Mountains Wilderness.

3 (50) Certain lands in the California Desert Con-
4 servation Area, of the Bureau of Land Management,
5 which comprise approximately seven thousand seven
6 hundred acres, as generally depicted on a map enti-
7 tled “Picacho Peak Wilderness—Proposed”, dated
8 May 1991, and which shall be known as the Picacho
9 Peak Wilderness.

10 (51) Certain lands in the California Desert Con-
11 servation Area, of the Bureau of Land Management,
12 which comprise approximately seventy-two thousand
13 six hundred acres, as generally depicted on a map en-
14 titled “Piper Mountain Wilderness—Proposed”, dated
15 May 1991, and which shall be known as the Piper
16 Mountain Wilderness.

17 (52) Certain lands in the California Desert Con-
18 servation Area, of the Bureau of Land Management,
19 which comprise approximately thirty-six thousand
20 eight hundred and forty acres, as generally depicted
21 on a map entitled “Piute Mountains Wilderness—
22 Proposed”, dated July 1993, and which shall be
23 known as the Piute Mountains Wilderness.

24 (53) Certain lands in the California Desert Con-
25 servation Area, of the Bureau of Land Management,

1 *which comprise approximately seventy-eight thousand*
2 *eight hundred and sixty-eight acres, as generally de-*
3 *scribed on a map entitled "Resting Spring Range Wil-*
4 *derness—Proposed", dated May 1991, and which*
5 *shall be known as the Resting Spring Range Wilder-*
6 *ness.*

7 *(54) Certain lands in the California Desert Con-*
8 *servation Area, of the Bureau of Land Management,*
9 *which comprise approximately forty thousand eight*
10 *hundred and twenty acres, as generally depicted on a*
11 *map entitled "Rice Valley Wilderness—Proposed",*
12 *dated May 1991, and which shall be known as the*
13 *Rice Valley Wilderness.*

14 *(55) Certain lands in the California Desert Con-*
15 *servation Area and the Yuma District, of the Bureau*
16 *of Land Management, which comprise approximately*
17 *twenty-two thousand three hundred eighty acres, as*
18 *generally depicted on a map entitled "Riverside*
19 *Mountains Wilderness—Proposed", dated May 1991,*
20 *and which shall be known as the Riverside Mountains*
21 *Wilderness.*

22 *(56) Certain lands in the California Desert Con-*
23 *servation Area, of the Bureau of Land Management,*
24 *which comprise approximately twenty-seven thousand*
25 *seven hundred acres, as generally depicted on a map*

1 *entitled “Rodman Mountains Wilderness—Proposed”,*
2 *dated January 1989, and which shall be known as the*
3 *Rodman Mountains Wilderness.*

4 *(57) Certain lands in the California Desert Con-*
5 *servation Area and the Bakersfield District, of the*
6 *Bureau of Land Management, which comprise ap-*
7 *proximately fifty-one thousand nine hundred acres, as*
8 *generally depicted on two maps entitled “Sacatar*
9 *Trail Wilderness—Proposed 1” and “Sacatar Trail*
10 *Wilderness—Proposed 2”, dated May 1991, and*
11 *which shall be known as the Sacatar Trail Wilder-*
12 *ness.*

13 *(58) Certain lands in the California Desert Con-*
14 *servation Area, of the Bureau of Land Management,*
15 *which comprise approximately one thousand four*
16 *hundred and forty acres, as generally depicted on a*
17 *map entitled “Saddle Peak Hills Wilderness—Pro-*
18 *posed”, dated July 1993, and which shall be known*
19 *as the Saddle Peak Hills Wilderness.*

20 *(59) Certain lands in the California Desert Con-*
21 *servation Area, of the Bureau of Land Management,*
22 *which comprise approximately thirty-seven thousand*
23 *nine hundred and eighty acres, as generally depicted*
24 *on a map entitled “San Gorgonio Wilderness Addi-*
25 *tions—Proposed”, dated July 1993, and which are*

1 *hereby incorporated in, and which shall be deemed to*
2 *be a part of, the San Gorgonio Wilderness as des-*
3 *ignated by Public Laws 88-577 and 98-425.*

4 *(60) Certain lands in the California Desert Con-*
5 *servation Area, of the Bureau of Land Management,*
6 *which comprise approximately sixty-four thousand*
7 *three hundred and forty acres, as generally depicted*
8 *on a map entitled "Santa Rosa Wilderness Addi-*
9 *tions—Proposed", dated March 1994, and which are*
10 *hereby incorporated in, and which shall be deemed to*
11 *be part of, the Santa Rosa Wilderness designated by*
12 *Public Law 98-425.*

13 *(61) Certain lands in the California Desert Dis-*
14 *trict, of the Bureau of Land Management, which com-*
15 *prise approximately thirty-five thousand and eighty*
16 *acres, as generally depicted on a map entitled "Saw-*
17 *tooth Mountains Wilderness—Proposed", dated July*
18 *1993, and which shall be known as the Sawtooth*
19 *Mountains Wilderness.*

20 *(62) Certain lands in the California Desert Con-*
21 *servation Area, of the Bureau of Land Management,*
22 *which comprise approximately one hundred seventy-*
23 *four thousand eight hundred acres, as generally de-*
24 *scribed on two maps entitled "Sheep Hole Valley Wil-*
25 *derness—Proposed 1", dated July 1993, and "Sheep*

1 *Hole Valley Wilderness—Proposed 2*”, dated July
2 1993, and which shall be known as the Sheephole Val-
3 ley Wilderness.

4 (63) Certain lands in the California Desert Con-
5 servation Area, of the Bureau of Land Management,
6 which comprise approximately forty-four thousand
7 four hundred and ten acres, as generally depicted on
8 a map entitled “Slate Range Wilderness—Proposed”,
9 dated October 1991, and which shall be known as the
10 Slate Range Wilderness.

11 (64) Certain lands in the California Desert Con-
12 servation Area, of the Bureau of Land Management,
13 which comprise approximately sixteen thousand seven
14 hundred and eighty acres, as generally depicted on a
15 map entitled “South Nopah Range Wilderness—Pro-
16 posed”, dated February 1986, and which shall be
17 known as the South Nopah Range Wilderness.

18 (65) Certain lands in the California Desert Con-
19 servation Area, of the Bureau of Land Management,
20 which comprise approximately seven thousand and
21 fifty acres, as generally depicted on a map entitled
22 “Stateline Wilderness—Proposed”, dated May 1991,
23 and which shall be known as the Stateline Wilderness.

24 (66) Certain lands in the California Desert Con-
25 servation Area, of the Bureau of Land Management,

1 *which comprise approximately eighty-one thousand*
2 *six hundred acres, as generally depicted on a map en-*
3 *titled “Stepladder Mountains Wilderness—Proposed”,*
4 *dated February 1986, and which shall be known as*
5 *the Stepladder Mountains Wilderness.*

6 *(67) Certain lands in the California Desert Con-*
7 *servation Area, of the Bureau of Land Management,*
8 *which comprise approximately twenty-nine thousand*
9 *one hundred and eighty acres, as generally depicted*
10 *on a map entitled “Surprise Canyon Wilderness—*
11 *Proposed”, dated September 1991, and which shall be*
12 *known as the Surprise Canyon Wilderness.*

13 *(68) Certain lands in the California Desert Con-*
14 *servation Area, of the Bureau of Land Management,*
15 *which comprise approximately seventeen thousand*
16 *eight hundred and twenty acres, as generally depicted*
17 *on a map entitled “Sylvania Mountains Wilderness—*
18 *Proposed”, dated February 1986, and which shall be*
19 *known as the Sylvania Mountains Wilderness.*

20 *(69) Certain lands in the California Desert Con-*
21 *servation Area, of the Bureau of Land Management,*
22 *which comprise approximately thirty-three thousand*
23 *seven hundred and twenty acres, as generally depicted*
24 *on a map entitled “Trilobite Wilderness—Proposed”,*

1 *dated May 1991, and which shall be known as the*
2 *Trilobite Wilderness.*

3 *(70) Certain lands in the California Desert Con-*
4 *servation Area, of the Bureau of Land Management,*
5 *which comprise approximately one hundred forty-four*
6 *thousand five hundred acres, as generally depicted on*
7 *a map entitled "Turtle Mountains Wilderness—Pro-*
8 *posed 1", dated February 1986 and a map entitled*
9 *"Turtle Mountains Wilderness—Proposed 2", dated*
10 *May 1991, and which shall be known as the Turtle*
11 *Mountains Wilderness.*

12 *(71) Certain lands in the California Desert Con-*
13 *servation Area and the Yuma District, of the Bureau*
14 *of Land Management, which comprise approximately*
15 *seventy-seven thousand five hundred and twenty*
16 *acres, as generally depicted on a map entitled "Whip-*
17 *ple Mountains Wilderness—Proposed", dated July*
18 *1993, and which shall be known as the Whipple*
19 *Mountains Wilderness.*

20 ADMINISTRATION OF WILDERNESS AREAS

21 *SEC. 103. Subject to valid existing rights, each wilder-*
22 *ness area designated under section 102 shall be adminis-*
23 *tered by the appropriate Secretary in accordance with the*
24 *provisions of the Wilderness Act, except that any reference*
25 *in such provisions to the effective date of the Wilderness*
26 *Act shall be deemed to be a reference to the effective date*

1 *of this title and any reference to the Secretary of Agri-*
2 *culture shall be deemed to be a reference to the Secretary*
3 *who has administrative jurisdiction over the area.*

4 *GRAZING*

5 *SEC. 104. Within the wilderness areas designated*
6 *under section 102, the grazing of livestock, where established*
7 *prior to the enactment of this Act, shall be permitted to*
8 *continue subject to such reasonable regulations, policies,*
9 *and practices as the Secretary deems necessary, as long as*
10 *such regulations, policies, and practices fully conform with*
11 *and implement the intent of Congress regarding grazing in*
12 *such areas as such intent is expressed in the Wilderness Act*
13 *and section 108 of Public Law 96-560 (16 U.S.C. 133 note).*

14 *BUFFER ZONES*

15 *SEC. 105. The Congress does not intend for the des-*
16 *ignation of wilderness areas in section 102 of this Act to*
17 *lead to the creation of protective perimeters or buffer zones*
18 *around any such wilderness area. The fact that*
19 *nonwilderness activities or uses can be seen or heard from*
20 *areas within a wilderness shall not, of itself, preclude such*
21 *activities or uses up to the boundary of the wilderness area.*

22 *MINING CLAIM VALIDITY REVIEW*

23 *SEC. 106. The Secretary of the Interior shall not ap-*
24 *prove any plan of operation prior to determining the valid-*
25 *ity of the unpatented mining claims, mill sites, and tunnel*
26 *sites affected by such plan within any wilderness area des-*

1 *ignated under section 102, and shall submit to Congress rec-*
 2 *ommendations as to whether any valid or patented claims*
 3 *should be acquired by the United States, including the esti-*
 4 *mated acquisition costs of such claims, and a discussion*
 5 *of the environmental consequences of the extraction of min-*
 6 *erals from these lands.*

7 *FILING OF MAPS AND DESCRIPTIONS*

8 *SEC. 107. As soon as practicable after enactment of*
 9 *section 102, a map and a legal description on each wilder-*
 10 *ness area designated under this title shall be filed by the*
 11 *Secretary concerned with the Committee on Energy and*
 12 *Natural Resources of the Senate and the Committee on Nat-*
 13 *ural Resources of the House of Representatives, and each*
 14 *such map and description shall have the same force and*
 15 *effect as if included in this title, except that the Secretary*
 16 *may correct clerical and typographical errors in each such*
 17 *legal description and map. Each such map and legal de-*
 18 *scription shall be on file and available for public inspection*
 19 *in the office of the Director of the Bureau of Land Manage-*
 20 *ment, Department of the Interior, or the Chief of the Forest*
 21 *Service, Department of Agriculture, as is appropriate.*

22 *WILDERNESS REVIEW*

23 *SEC. 108. (a) The Congress hereby finds and directs*
 24 *that except for those areas provided for in subsection (b),*
 25 *the public lands in the California Desert Conservation*
 26 *Area, managed by the Bureau of Land Management, not*

1 *designated as wilderness or wilderness study areas by this*
2 *Act, have been adequately studied for wilderness designation*
3 *pursuant to section 603 of the Federal Land Policy and*
4 *Management Act of 1976 (90 Stat. 2743, 43 U.S.C. 1782),*
5 *and are no longer subject to the requirements of section*
6 *603(c) of the Federal Land Policy and Management Act of*
7 *1976 pertaining to the management of wilderness study*
8 *areas in a manner that does not impair the suitability of*
9 *such areas for preservation as wilderness.*

10 *(b) The following areas shall continue to be subject to*
11 *the requirements of section 603(c) of the Federal Land Pol-*
12 *icy and Management Act of 1976, pertaining to the man-*
13 *agement of wilderness study areas in a manner that does*
14 *not impair the suitability of such areas for preservation*
15 *as wilderness:*

16 *(1) Certain lands which comprise approximately*
17 *sixty-one thousand three hundred and twenty acres,*
18 *as generally depicted on a map entitled “Avawatz*
19 *Mountains Wilderness—Proposed”, dated May 1991.*

20 *(2) Certain lands which comprise approximately*
21 *eighty thousand four hundred and thirty acres, as*
22 *generally depicted on two maps entitled “Soda Moun-*
23 *tains Wilderness—Proposed 1”, dated May 1991, and*
24 *“Soda Mountains Wilderness—Proposed 2”, dated*
25 *January 1989.*

1 (3) *Certain lands which compromise approxi-*
 2 *mately twenty-three thousand two hundred and fifty*
 3 *acres, as generally depicted on a map entitled “South*
 4 *Avawatz Mountains—Proposed”, dated May 1991.*

5 (4) *Certain lands which comprise approximately*
 6 *eight thousand eight hundred acres, as generally de-*
 7 *icted on a map entitled “Great Falls Basin Wilder-*
 8 *ness—Proposed”, dated February 1986.*

9 (5) *Certain lands which comprise approximately*
 10 *thirty-nine thousand seven hundred and sixty acres,*
 11 *as generally depicted on a map entitled “Kingston*
 12 *Range Potential Future Wilderness”, dated May*
 13 *1994.*

14 (c) *Subject to valid existing rights, the Federal lands*
 15 *referred to in subsection (b) are hereby withdrawn from all*
 16 *forms of entry, appropriation, or disposal under the public*
 17 *land laws; from location, entry, and patent under the Unit-*
 18 *ed States mining laws; and from disposition under all laws*
 19 *pertaining to mineral and geothermal leasing, and mineral*
 20 *materials, and all amendments thereto, and shall be admin-*
 21 *istered by the Secretary in accordance with the provisions*
 22 *of section 603(c) of the Federal Land Policy and Manage-*
 23 *ment Act of 1976 (43 U.S.C. 1782).*

24 DESIGNATION OF WILDERNESS STUDY AREA

25 SEC. 109. *In furtherance of the provisions of the Wil-*
 26 *derness Act, certain public lands in the California Desert*

1 *Conservation Area of the Bureau of Land Management*
 2 *which comprise eleven thousand two hundred acres as gen-*
 3 *erally depicted on a map entitled “White Mountains Wil-*
 4 *derness Study Area—Proposed”, dated May 1991, are here-*
 5 *by designated the White Mountains Wilderness Study Area*
 6 *and shall be administered by the Secretary in accordance*
 7 *with the provisions of section 603(c) of the Federal Land*
 8 *Policy and Management Act of 1976.*

9 *SUITABILITY REPORT*

10 *SEC. 110. The Secretary is required, ten years after*
 11 *the date of enactment of this Act, to report to Congress on*
 12 *current and planned exploration, development or mining*
 13 *activities on, and suitability for future wilderness designa-*
 14 *tion of, the lands as generally depicted on maps entitled*
 15 *“Surprise Canyon Wilderness—Proposed”, “Middle Park*
 16 *Canyon Wilderness—Proposed”, and “Death Valley Na-*
 17 *tional Park Boundary and Wilderness 15”, dated Septem-*
 18 *ber 1991 and a map entitled “Manly Peak Wilderness—*
 19 *Proposed”, dated October 1991.*

20 *WILDERNESS DESIGNATION AND MANAGEMENT IN THE*

21 *NATIONAL WILDLIFE REFUGE SYSTEM*

22 *SEC. 111. (a) In furtherance of the purposes of the Wil-*
 23 *derness Act, the following lands are hereby designated as*
 24 *wilderness and therefore, as components of the National*
 25 *Wilderness Preservation System:*

1 (1) *Certain lands in the Havasu National Wild-*
2 *life Refuge, California, which comprise approximately*
3 *three thousand one hundred and ninety-five acres, as*
4 *generally depicted on a map entitled “Havasu Wil-*
5 *derness—Proposed”, and dated October 1991, and*
6 *which shall be known as the Havasu Wilderness.*

7 (2) *Certain lands in the Imperial National*
8 *Wildlife Refuge, California, which comprise approxi-*
9 *mately five thousand eight hundred and thirty-six*
10 *acres, as generally depicted on two maps entitled*
11 *“Imperial Refuge Wilderness—Proposed 1” and “Im-*
12 *perial Refuge Wilderness—Proposed 2”, and dated*
13 *October 1991, and which shall be known as the Impe-*
14 *rial Refuge Wilderness.*

15 (b) *Subject to valid existing rights, the wilderness*
16 *areas designated under this section shall be administered*
17 *by the Secretary in accordance with the provisions of the*
18 *Wilderness Act governing areas designated by that Act as*
19 *wilderness, except that any reference in such provisions to*
20 *the effective date of the Wilderness Act (or any similar ref-*
21 *erence) shall be deemed to be a reference to the date of enact-*
22 *ment of this Act and any reference to the Secretary of Agri-*
23 *culture shall be deemed to be a reference to the Secretary*
24 *of the Interior.*

1 (c) As soon as practicable after enactment of this sec-
 2 tion, the Secretary shall file a map and a legal description
 3 of each wilderness area designated under this section with
 4 the Committees on Energy and Natural Resources and En-
 5 vironment and Public Works of the Senate and Natural Re-
 6 sources and Merchant Marine and Fisheries of the House
 7 of Representatives. Such map and description shall have
 8 the same force and effect as if included in this Act, except
 9 that correction of clerical and typographical errors in such
 10 legal description and map may be made. Such map and
 11 legal description shall be on file and available for public
 12 inspection in the Office of the Director, United States Fish
 13 and Wildlife Service, Department of the Interior.

14 LAW ENFORCEMENT ACCESS

15 SEC. 112. Nothing in this Act, including the wilderness
 16 designations made by this Act, may be construed to preclude
 17 Federal, State, and local law enforcement agencies from
 18 conducting law enforcement and border operations as per-
 19 mitted before the enactment of this Act, including the use
 20 of motor vehicles and aircraft, on any lands designated as
 21 wilderness by this Act.

22 FISH AND WILDLIFE MANAGEMENT

23 SEC. 113. As provided in section 4(d)(7) of the Wilder-
 24 ness Act, nothing in this title shall be construed as affecting
 25 the jurisdiction of the State of California with respect to
 26 fish and wildlife on the public lands located in that State.

1 *Management activities to maintain or restore fish and wild-*
 2 *life populations and the habitats to support such popu-*
 3 *lations may be carried out within wilderness areas des-*
 4 *ignated by this title and shall include the use of motorized*
 5 *vehicles by the appropriate State agencies.*

6 *TITLE II—DEATH VALLEY NATIONAL PARK*

7 *FINDINGS*

8 *SEC. 201. The Congress hereby finds that—*

9 *(1) proclamations by Presidents Herbert Hoover*
 10 *in 1933 and Franklin Roosevelt in 1937 established*
 11 *and expanded the Death Valley National Monument*
 12 *for the preservation of the unusual features of scenic,*
 13 *scientific, and educational interest therein contained;*

14 *(2) Death Valley National Monument is today*
 15 *recognized as a major unit of the National Park Sys-*
 16 *tem, having extraordinary values enjoyed by millions*
 17 *of visitors;*

18 *(3) the Monument boundaries established in the*
 19 *1930's exclude and thereby expose to incompatible de-*
 20 *velopment and inconsistent management, contiguous*
 21 *Federal lands of essential and superlative natural, ec-*
 22 *ological, geological, archeological, paleontological, cul-*
 23 *tural, historical and wilderness values;*

24 *(4) Death Valley National Monument should be*
 25 *substantially enlarged by the addition of all contig-*

1 uous Federal lands of national park caliber and af-
 2 farded full recognition and statutory protection as a
 3 national park; and

4 (5) the wilderness within Death Valley should re-
 5 ceive maximum statutory protection by designation
 6 pursuant to the Wilderness Act.

7 ESTABLISHMENT OF DEATH VALLEY NATIONAL PARK

8 *SEC. 202. There is hereby established the Death Valley*
 9 *National Park, as generally depicted on 23 maps entitled*
 10 *“Death Valley National Park Boundary and Wilderness—*
 11 *Proposed”, numbered in the title one through twenty-three,*
 12 *and dated May 1994 or prior, which shall be on file and*
 13 *available for public inspection in the offices of the Super-*
 14 *intendent of the Park and the Director of the National Park*
 15 *Service, Department of the Interior. The Death Valley Na-*
 16 *tional Monument is hereby abolished as such, the lands and*
 17 *interests therein are hereby incorporated within and made*
 18 *part of the new Death Valley National Park, and any funds*
 19 *available for purposes of the monument shall be available*
 20 *for purposes of the park.*

21 TRANSFER AND ADMINISTRATION OF LANDS

22 *SEC. 203. Upon enactment of this title, the Secretary*
 23 *shall transfer the lands under the jurisdiction of the Bureau*
 24 *of Land Management depicted on the maps described in sec-*
 25 *tion 202 of this title, without consideration, to the adminis-*
 26 *trative jurisdiction of the Director of the National Park*

1 *Service for administration as part of the National Park*
 2 *System. The boundaries of the public lands and the national*
 3 *parks shall be adjusted accordingly. The Secretary shall ad-*
 4 *minister the areas added to the National Park System by*
 5 *this title in accordance with the provisions of law generally*
 6 *applicable to units of the National Park System, including*
 7 *the Act entitled "An Act to establish a National Park Serv-*
 8 *ice, and for other purposes", approved August 25, 1916 (39*
 9 *Stat. 535; 16 U.S.C. 1-4).*

10 *MAPS AND LEGAL DESCRIPTION*

11 *SEC. 204. Within six months after the enactment of*
 12 *this title, the Secretary shall file maps and a legal descrip-*
 13 *tion of the park designated under this title with the Energy*
 14 *and Natural Resources Committee of the Senate and the*
 15 *Natural Resources Committee of the House of Representa-*
 16 *tives. Such maps and legal description shall have the same*
 17 *force and effect as if included in this title, except that the*
 18 *Secretary may correct clerical and typographical errors in*
 19 *such legal description and in the maps referred to in section*
 20 *202. The maps and legal description shall be on file and*
 21 *available for public inspection in the offices of the Super-*
 22 *intendent of the Park and the Director of the National Park*
 23 *Service, Department of the Interior.*

24 *WITHDRAWAL*

25 *SEC. 205. Subject to valid existing rights, the Federal*
 26 *lands and interests therein added to the National Park Sys-*

1 *tem by this title are withdrawn from disposition under the*
 2 *public land laws and from entry or appropriation under*
 3 *the mining laws of the United States, from the operation*
 4 *of the mineral leasing laws of the United States, and from*
 5 *operation of the Geothermal Steam Act of 1970.*

6 *STUDY AS TO VALIDITY OF MINING CLAIMS*

7 *SEC. 206. The Secretary shall not approve any plan*
 8 *of operation prior to determining the validity of the*
 9 *unpatented mining claims, mill sites, and tunnel sites af-*
 10 *ected by such plan within the additions to the park and*
 11 *shall submit to Congress recommendations as to whether*
 12 *any valid or patented claims should be acquired by the*
 13 *United States, including the estimated acquisition costs of*
 14 *such claims, and a discussion of the environmental con-*
 15 *sequences of the extraction of minerals from these lands.*

16 *GRAZING*

17 *SEC. 207. (a) The privilege of grazing domestic live-*
 18 *stock on lands within the park shall continue to be exercised*
 19 *at no more than the current level, subject to applicable laws*
 20 *and National Park Service regulations.*

21 *(b) If a person holding a grazing permit referred to*
 22 *in subsection (a) informs the Secretary that such permittee*
 23 *is willing to convey to the United States any base property*
 24 *with respect to which such permit was issued and to which*
 25 *such permittee holds title, the Secretary shall make the ac-*
 26 *quisition of such base property a priority as compared with*

1 *the acquisition of other lands within the park, provided*
 2 *agreement can be reached concerning the terms and condi-*
 3 *tions of such acquisition. Any such base property which is*
 4 *located outside the park and acquired as a priority pursu-*
 5 *ant to this section shall be managed by the Federal agency*
 6 *responsible for the majority of the adjacent lands in accord-*
 7 *ance with the laws applicable to such adjacent lands.*

8 *DEATH VALLEY NATIONAL PARK ADVISORY COMMISSION*

9 *SEC. 208. (a) The Secretary shall establish an advisory*
 10 *commission of no more than 15 members, to advise the Sec-*
 11 *retary concerning the development and implementation of*
 12 *a new or revised comprehensive management plan for Death*
 13 *Valley National Park.*

14 *(b)(1) The advisory commission shall include an elect-*
 15 *ed official for each County within which any part of the*
 16 *park is located, a representative of the owners of private*
 17 *properties located within or immediately adjacent to the*
 18 *park, and other members representing persons actively en-*
 19 *gaged in grazing and range management, mineral explo-*
 20 *ration and development, and persons with expertise in rel-*
 21 *evant fields, including geology, biology, ecology, law enforce-*
 22 *ment, and the protection and management of National Park*
 23 *resources and values.*

24 *(2) Vacancies in the commission shall be filled by the*
 25 *Secretary so as to maintain the full diversity of views re-*
 26 *quired to be represented on the commission.*

1 (c) *The Federal Advisory Committee Act shall apply*
 2 *to the procedures and activities of the advisory commission.*

3 (d) *The advisory commission shall cease to exist ten*
 4 *years after the date of its establishment.*

5 *BOUNDARY ADJUSTMENT*

6 *SEC. 210. In preparing the maps and legal descrip-*
 7 *tions required by sections 204 and 502, the Secretary shall*
 8 *adjust the boundaries of the Death Valley National Park*
 9 *and Death Valley National Park Wilderness so as to exclude*
 10 *from such National Park and Wilderness the lands gen-*
 11 *erally depicted on the map entitled "Porter Mine*
 12 *(Panamint Range) Exclusion Area" dated June 1994.*

13 *TITLE III—JOSHUA TREE NATIONAL PARK*

14 *FINDINGS*

15 *SEC. 301. The Congress hereby finds that—*

16 (1) *a proclamation by President Franklin Roo-*
 17 *sevelt in 1936 established Joshua Tree National*
 18 *Monument to protect various objects of historical and*
 19 *scientific interest;*

20 (2) *Joshua Tree National Monument today is*
 21 *recognized as a major unit of the National Park Sys-*
 22 *tem, having extraordinary values enjoyed by millions*
 23 *of visitors;*

24 (3) *the Monument boundaries as modified in*
 25 *1950 and 1961 exclude and thereby expose to incom-*
 26 *patible development and inconsistent management,*

1 *contiguous Federal lands of essential and superlative*
 2 *natural, ecological, archeological, paleontological, cul-*
 3 *tural, historical and wilderness values;*

4 (4) *Joshua Tree National Monument should be*
 5 *enlarged by the addition of contiguous Federal lands*
 6 *of national park caliber, and afforded full recognition*
 7 *and statutory protection as a national park; and*

8 (5) *the nondesignated wilderness within Joshua*
 9 *Tree should receive statutory protection by designa-*
 10 *tion pursuant to the Wilderness Act.*

11 *ESTABLISHMENT OF JOSHUA TREE NATIONAL PARK*

12 *SEC. 302. There is hereby established the Joshua Tree*
 13 *National Park, as generally depicted on a map entitled*
 14 *“Joshua Tree National Park Boundary—Proposed”, dated*
 15 *May 1991, and four maps entitled “Joshua Tree National*
 16 *Park Boundary and Wilderness”, numbered in the title one*
 17 *through four, and dated October 1991 or prior, which shall*
 18 *be on file and available for public inspection in the offices*
 19 *of the Superintendent of the Park and the Director of the*
 20 *National Park Service, Department of the Interior. The*
 21 *Joshua Tree National Monument is hereby abolished as*
 22 *such, the lands and interests therein are hereby incor-*
 23 *porated within and made part of the new Joshua Tree Na-*
 24 *tional Park, and any funds available for purposes of the*
 25 *monument shall be available for purposes of the park.*

1 *TRANSFER AND ADMINISTRATION OF LANDS*

2 *SEC. 303. Upon enactment of this title, the Secretary*
3 *shall transfer the lands under the jurisdiction of the Bureau*
4 *of Land Management depicted on the maps described in sec-*
5 *tion 302 of this title, without consideration, to the adminis-*
6 *trative jurisdiction of the Director of the National Park*
7 *Service for administration as part of the National Park*
8 *System. The boundaries of the public lands and the national*
9 *parks shall be adjusted accordingly. The Secretary shall ad-*
10 *minister the areas added to the National Park System by*
11 *this title in accordance with the provisions of law generally*
12 *applicable to units of the National Park System, including*
13 *the Act entitled "An Act to establish a National Park Serv-*
14 *ice, and for other purposes", approved August 25, 1916 (39*
15 *Stat. 535; 16 U.S.C. 1-4).*

16 *MAPS AND LEGAL DESCRIPTION*

17 *SEC. 304. Within six months after the enactment of*
18 *this title, the Secretary shall file maps and legal description*
19 *of the park designated by this title with the Energy and*
20 *Natural Resources Committee of the Senate and the Natural*
21 *Resources Committee of the House of Representatives. Such*
22 *maps and legal description shall have the same force and*
23 *effect as if included in this title, except that the Secretary*
24 *may correct clerical and typographical errors in such legal*
25 *description and in the maps referred to in section 302. The*
26 *maps and legal description shall be on file and available*

1 *for public inspection in the offices of the Superintendent*
 2 *of the Park and the Director of the National Park Service,*
 3 *Department of the Interior.*

4 *WITHDRAWAL*

5 *SEC. 305. Subject to valid existing rights, Federal*
 6 *lands and interests therein added to the National Park Sys-*
 7 *tem by this title are withdrawn from disposition under the*
 8 *public lands laws and from entry or appropriation under*
 9 *the mining laws of the United States, from the operation*
 10 *of the mineral leasing laws of the United States, and from*
 11 *the operation of the Geothermal Steam Act of 1970.*

12 *UTILITY RIGHTS-OF-WAY*

13 *SEC. 306. Nothing in this title shall have the effect of*
 14 *terminating any validly issued right-of-way or customary*
 15 *operation maintenance, repair, and replacement activities*
 16 *in such right-of-way, issued, granted, or permitted to the*
 17 *Metropolitan Water District pursuant to the Boulder Can-*
 18 *yon Project Act (43 U.S.C. 617–619b), which is located on*
 19 *lands included in the Joshua Tree National Park, but out-*
 20 *side lands designated as wilderness under section 501(2).*
 21 *Such activities shall be conducted in a manner which will*
 22 *minimize the impact on park resources. Nothing in this title*
 23 *shall have the effect of terminating the fee title to lands or*
 24 *customary operation, maintenance, repair, and replace-*
 25 *ment activities on or under such lands granted to the Metro-*
 26 *politan Water District pursuant to the Act of June 18, 1932*

1 (47 Stat. 324), which are located on lands included in the
2 Joshua Tree National Park, but outside lands designated
3 as wilderness under section 501(2). Such activities shall be
4 conducted in a manner which will minimize the impact on
5 park resources. The Secretary shall prepare within 180
6 days after the date of enactment of this Act, in consultation
7 with the Metropolitan Water District, plans for emergency
8 access by the Metropolitan Water District to its lands and
9 rights-of-way.

10 STUDY AS TO VALIDITY OF MINING CLAIMS

11 SEC. 307. The Secretary shall not approve any plan
12 of operation prior to determining the validity of the
13 unpatented mining claims, mill sites, and tunnel sites af-
14 fected by such plan within the park and shall submit to
15 Congress recommendations as to whether any valid or pat-
16 ented claims should be acquired by the United States, in-
17 cluding the estimated acquisition costs of such claims, and
18 a discussion of the environmental consequences of the ex-
19 traction of minerals from these lands.

20 JOSHUA TREE NATIONAL PARK ADVISORY COMMISSION

21 SEC. 308. (a) The Secretary shall establish an advisory
22 commission of no more than 15 members, to advise the Sec-
23 retary concerning the development and implementation of
24 a new or revised comprehensive management plan for Josh-
25 ua Tree National Park.

1 (b)(1) *The advisory commission shall include an elect-*
 2 *ed official for each County within which any part of the*
 3 *park is located, a representative of the owners of private*
 4 *properties located within or immediately adjacent to the*
 5 *park, and other members representing persons actively en-*
 6 *gaged in grazing and range management, mineral explo-*
 7 *ration and development, and persons with expertise in rel-*
 8 *evant fields, including geology, biology, ecology, law enforce-*
 9 *ment, and the protection and management of National Park*
 10 *resources and values.*

11 (2) *Vacancies in the commission shall be filled by the*
 12 *Secretary so as to maintain the full diversity of views re-*
 13 *quired to be represented on the commission.*

14 (c) *The Federal Advisory Committee Act shall apply*
 15 *to the procedures and activities of the advisory commission.*

16 (d) *The advisory commission shall cease to exist ten*
 17 *years after the date of its establishment.*

18 TITLE IV—MOJAVE NATIONAL PRESERVE

19 FINDINGS

20 SEC. 401. *The Congress hereby finds that—*

21 (1) *Death Valley and Joshua Tree National*
 22 *Parks, as established by this Act, protect unique and*
 23 *superlative desert resources, but do not embrace the*
 24 *particular ecosystems and transitional desert type*
 25 *found in the Mojave Desert area lying between them*

1 on public lands now afforded only impermanent ad-
 2 ministrative designation as a national scenic area;

3 (2) the Mojave Desert area possesses outstanding
 4 natural, cultural, historical, and recreational values
 5 meriting statutory designation and recognition as a
 6 unit of the National Park System;

7 (3) the Mojave Desert area should be afforded full
 8 recognition and statutory protection as a national
 9 preserve;

10 (4) the wilderness within the Mojave Desert
 11 should receive maximum statutory protection by des-
 12 ignation pursuant to the Wilderness Act; and

13 (5) the Mojave Desert area provides an outstand-
 14 ing opportunity to develop services, programs, accom-
 15 modations and facilities to ensure the use and enjoy-
 16 ment of the area by individuals with disabilities, con-
 17 sistent with section 504 of the Rehabilitation Act of
 18 1973, Public Law 101–336, the Americans With Dis-
 19 abilities Act of 1990 (42 U.S.C. 12101), and other ap-
 20 propriate laws and regulations.

21 ESTABLISHMENT OF THE MOJAVE NATIONAL PRESERVE

22 SEC. 402. (a) There is hereby established the Mojave
 23 National Preserve, comprising approximately one million
 24 four hundred nineteen thousand eight hundred acres, as
 25 generally depicted on a map entitled “Mojave National
 26 Park Boundary—Proposed”, dated May 17, 1994, which

(b)(1) There is hereby established the Dinosaur Trackway Area of Critical Environmental Concern within the California Desert Conservation Area, of the Bureau of Land Management, comprising approximately five hundred and ninety acres as generally depicted on a map entitled "Dinosaur Trackway Area of Critical Environmental Concern", dated July 1993. The Secretary shall administer the area to preserve the paleontological resources within the area.

(2) Subject to valid existing rights, the Federal lands within and adjacent to the Dinosaur Trackway Area of Critical Environmental Concern, as generally depicted on a map entitled "Dinosaur Trackway Mineral Withdrawal Area", dated July 1993, are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws; from location, entry, and patent under the United States mining laws; and from disposition under all laws pertaining to mineral and geothermal leasing, and mineral materials, and all amendments thereto.

23 *TRANSFER OF LANDS*

SEC. 403. Upon enactment of this title, the Secretary shall transfer the lands under the jurisdiction of the Bureau of Land Management depicted on the maps described in sec-

tion 402 of this title, without consideration, to the administrative jurisdiction of the Director of the National Park Service. The boundaries of the public lands shall be adjusted accordingly.

MAPS AND LEGAL DESCRIPTION

SEC. 404. Within six months after the enactment of this title, the Secretary shall file maps and a legal description of the preserve designated under this title with the Energy and Natural Resources Committee of the Senate and the Natural Resources Committee of the House of Representatives. Such maps and legal description shall have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in such legal description and in the maps referred to in section 402. The maps and legal description shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

ABOLISHMENT OF SCENIC AREA

SEC. 405. The East Mojave National Scenic Area, designated on January 13, 1981 (46 FR 3994), and modified on August 9, 1983 (48 FR 36210), is hereby abolished.

ADMINISTRATION OF LANDS

SEC. 406. (a) The Secretary shall administer the preserve in accordance with this title and with the provisions of law generally applicable to units of the National Park System, including the Act entitled "An Act to establish a

21 *WITHDRAWAL*

22 *SEC. 407. Subject to valid existing rights, Federal*
23 *lands within the preserve, and interests therein, are with-*
24 *drawn from disposition under the public land laws and*
25 *from entry or appropriation under the mining laws of the*
26 *United States, from the operation of the mineral leasing*

1 *laws of the United States, and from operation of the Geo-*
2 *thermal Steam Act of 1970.*

3 *STUDY AS TO VALIDITY OF MINING CLAIMS*

4 *SEC. 408 (a) The Secretary shall not approve any plan*
5 *of operation prior to determining the validity of the*
6 *unpatented mining claims, mill sites, and tunnel sites af-*
7 *ected by such plan within the preserve and shall submit*
8 *to Congress recommendations as to whether any valid or*
9 *patented claims should be acquired by the United States,*
10 *including the estimated acquisition costs of such claims,*
11 *and a discussion of the environmental consequences of the*
12 *extraction of minerals from these lands.*

13 *(b)(1) Notwithstanding any other provision of law, the*
14 *Secretary of the Interior shall permit the holder or holders*
15 *of mining claims identified on the records of the Bureau*
16 *of Land Management as Volco #A CAMC 105446 and Volco*
17 *#B CAMC 105447 to continue exploration and development*
18 *activities on such claims for a period of two years after*
19 *the date of enactment of this Act, subject to the same regula-*
20 *tions as applied to such activities on such claims on the*
21 *day before such date of enactment.*

22 *(2) At the end of the period specified in paragraph*
23 *(1), or sooner if so requested by the holder or holders of*
24 *the claims specified in such paragraph, the Secretary shall*
25 *determine whether there has been a discovery of valuable*
26 *minerals on such claims and whether, if such discovery had*

1 *been made on or before July 1, 1994, such claims would*
 2 *have been valid as of such date under the mining laws of*
 3 *the United States in effect on such date.*

4 *(3) If the Secretary, pursuant to paragraph (2), makes*
 5 *an affirmative determination concerning the claims speci-*
 6 *fied in paragraph (1), the holder or holders of such claims*
 7 *shall be permitted to continue to operate such claims subject*
 8 *only to such regulations as applied on July 1, 1994 to the*
 9 *exercise of valid existing rights on patented mining claims*
 10 *within a unit of the National Park System.*

11 *GRAZING*

12 *SEC. 409. (a) The privilege of grazing domestic live-*
 13 *stock on lands within the preserve shall continue to be exer-*
 14 *cised at no more than the current level, subject to applicable*
 15 *laws and National Park Service regulations.*

16 *(b) If a person holding a grazing permit referred to*
 17 *in subsection (a) informs the Secretary that such permittee*
 18 *is willing to convey to the United States any base property*
 19 *with respect to which such permit was issued and to which*
 20 *such permittee holds title, the Secretary shall make the ac-*
 21 *quisition of such base property a priority as compared with*
 22 *the acquisition of other lands within the preserve, provided*
 23 *agreement can be reached concerning the terms and condi-*
 24 *tions of such acquisition. Any such base property which is*
 25 *located outside the preserve and acquired as a priority pur-*
 26 *suant to this section shall be managed by the Federal agency*

1 *responsible for the majority of the adjacent lands in accord-*
 2 *ance with the laws applicable to such adjacent lands.*

3 *UTILITY RIGHTS OF WAY*

4 *SEC. 410. (a)(1) Nothing in this title shall have the*
 5 *effect of terminating any validly issued right-of-way or cus-*
 6 *tomary operation, maintenance, repair, and replacement*
 7 *activities in such right-of-way, issued, granted, or permitted*
 8 *to Southern California Edison Company, its successors or*
 9 *assigns, which is located on lands included in the Mojave*
 10 *National Preserve, but outside lands designated as wilder-*
 11 *ness under section 501(3). Such activities shall be conducted*
 12 *in a manner which will minimize the impact on preserve*
 13 *resources.*

14 *(2) Nothing in this title shall have the effect of prohib-*
 15 *iting the upgrading of an existing electrical transmission*
 16 *line for the purpose of increasing the capacity of such trans-*
 17 *mission line in the Southern California Edison Company*
 18 *validly issued Eldorado-Lugo Transmission Line right-of-*
 19 *way and Mojave-Lugo Transmission Line right-of-way, or*
 20 *in a right-of-way if issued, granted, or permitted by the*
 21 *Secretary adjacent to the existing Mojave-Lugo Trans-*
 22 *mission Line right-of-way (hereafter in this section referred*
 23 *to as "adjacent right-of-way"), including construction of a*
 24 *replacement transmission line: Provided, That—*

25 *(A) in the Eldorado-Lugo Transmission Line*
 26 *rights-of-way (hereafter in this section referred to as*

1 the “Eldorado rights-of-way”) at no time shall there
2 be more than three electrical transmission lines,

3 (B) in the Mojave-Lugo Transmission Line
4 right-of-way (hereafter in this section referred to as
5 the “Mojave right-of-way”) and adjacent right-of-way,
6 removal of the existing electrical transmission line
7 and reclamation of the site shall be completed no later
8 than three years after the date on which construction
9 of the upgraded transmission line begins, after which
10 time there may be only one electrical transmission
11 line in the lands encompassed by Mojave right-of-way
12 and adjacent right-of-way,

13 (C) if there are no more than two electrical
14 transmission lines in the Eldorado rights-of-way, two
15 electrical transmission lines in the lands encompassed
16 by the Mojave right-of-way and adjacent right-of-way
17 may be allowed,

18 (D) in the Eldorado rights-of-way and Mojave
19 right-of-way no additional land shall be issued,
20 granted, or permitted for such upgrade unless an ad-
21 dition would reduce the impacts to preserve resources,

22 (E) no more than 350 feet of additional land
23 shall be issued, granted, or permitted for an adjacent
24 right-of-way to the south of the Mojave right-of-way

1 *unless a greater addition would reduce the impacts to*
2 *preserve resources, and*

3 *(F) such upgrade activities, including helicopter*
4 *aided construction, shall be conducted in a manner*
5 *which will minimize the impact on preserve resources.*

6 *(3) The Secretary shall prepare within 180 days after*
7 *the date of enactment of this Act, in consultation with the*
8 *Southern California Edison Company, plans for emergency*
9 *access by the Southern California Edison Company to its*
10 *rights-of-way.*

11 *(b)(1) Nothing in this title shall have the effect of ter-*
12 *minating any validly issued right-of-way, or customary op-*
13 *eration, maintenance, repair, and replacement activities in*
14 *such right-of-way; prohibiting the upgrading of and con-*
15 *struction on existing facilities in such right-of-way for the*
16 *purpose of increasing the capacity of the existing pipeline;*
17 *or prohibiting the renewal of such right-of-way issued,*
18 *granted, or permitted to the Southern California Gas Com-*
19 *pany, its successors or assigns, which is located on lands*
20 *included in the Mojave National Preserve, but outside lands*
21 *designated as wilderness under section 501(3). Such activi-*
22 *ties shall be conducted in a manner which will minimize*
23 *the impact on preserve resources.*

24 *(2) The Secretary shall prepare within one hundred*
25 *and eighty days after the date of enactment of this title,*

1 *in consultation with the Southern California Gas Com-*
2 *pany, plans for emergency access by the Southern Califor-*
3 *nia Gas Company to its rights-of-way.*

4 (c) *Nothing in this title shall have the effect of termi-*
5 *nating any validly issued right-of-way or customary oper-*
6 *ation, maintenance, repair, and replacement activities of*
7 *existing facilities issued, granted, or permitted for commu-*
8 *nications cables or lines, which are located on lands in-*
9 *cluded in the Mojave National Preserve, but outside lands*
10 *designated as wilderness under section 501(3). Such activi-*
11 *ties shall be conducted in a manner which will minimize*
12 *the impact on preserve resources.*

13 (d) *Nothing in this title shall have the effect of termi-*
14 *nating any validly issued right-of-way or customary oper-*
15 *ation, maintenance, repair, and replacement activities of*
16 *existing facilities issued, granted, or permitted to Molyb-*
17 *denum Corporation of America; Molycorp, Incorporated; or*
18 *Union Oil Company of California (d/b/a Unocal Corpora-*
19 *tion); or its successors or assigns, or prohibiting renewal*
20 *of such right-of-way, which is located on lands included in*
21 *the Mojave National Preserve, but outside lands designated*
22 *as wilderness under section 501(3). Such activities shall be*
23 *conducted in a manner which will minimize the impact on*
24 *preserve resources.*

1 *PREPARATION OF MANAGEMENT PLAN*

2 *SEC. 411. Within three years after the date of enact-*
3 *ment of this title, the Secretary shall submit to the Energy*
4 *and Natural Resources Committee of the Senate and the*
5 *Natural Resources Committee of the House of Representa-*
6 *tives a detailed and comprehensive management plan for*
7 *the preserve. Such plan shall place emphasis on historical*
8 *and cultural sites and ecological and wilderness values*
9 *within the boundaries of the preserve. Any development, in-*
10 *cluding road improvements, proposed by such plan shall be*
11 *strictly limited to that which is essential and appropriate*
12 *for the administration of the preserve and shall be designed*
13 *and located so as to maintain the primitive nature of the*
14 *area and to minimize the impairment of preserve resources*
15 *or ecological values. To the extent practicable, administra-*
16 *tive facilities, employee housing, commercial visitor serv-*
17 *ices, accommodations, and other preserve-related develop-*
18 *ment shall be located or provided for outside of the bound-*
19 *aries of the preserve. Such plan shall evaluate the feasibility*
20 *of using the Kelso Depot and existing railroad corridor to*
21 *provide public access to and a facility for special interpre-*
22 *tive, educational, and scientific programs within the pre-*
23 *serve. Such plan shall specifically address the needs of indi-*
24 *viduals with disabilities in the design of services, programs,*
25 *accommodations and facilities consistent with section 504*

1 *of the Rehabilitation Act of 1973, Public Law 101–336, the*
2 *Americans with Disabilities Act of 1990 (42 U.S.C. 12101),*
3 *and other appropriate laws and regulations.*

4 *GRANITE MOUNTAINS NATURAL RESERVE*

5 *SEC. 412. (a) There is hereby designated the Granite*
6 *Mountains Natural Reserve within the preserve comprising*
7 *approximately nine thousand acres as generally depicted on*
8 *a map entitled “Mojave National Park Boundary and Wil-*
9 *derness—Proposed 6”, dated May 1991.*

10 *(b) Upon enactment of this title, the Secretary of the*
11 *Interior shall enter into a cooperative management agree-*
12 *ment with the University of California for the purposes of*
13 *managing the lands within the Granite Mountains Natural*
14 *Reserve. Such cooperative agreement shall ensure continu-*
15 *ation of arid lands research and educational activities of*
16 *the University of California, consistent with the provisions*
17 *of law generally applicable to units of the National Park*
18 *System.*

19 *CONSTRUCTION OF VISITOR CENTER*

20 *SEC. 413. The Secretary is authorized to construct a*
21 *visitor center in the preserve for the purpose of providing*
22 *information through appropriate displays, printed mate-*
23 *rial, and other interpretive programs, about the resources*
24 *of the preserve.*

ACQUISITION OF LANDS

1
2 *SEC. 414. The Secretary is authorized to acquire all*
3 *lands and interest in lands within the boundary of the pre-*
4 *serve by donation, purchase, or exchange, except that—*

5 *(1) any lands or interests therein within the*
6 *boundary of the preserve which are owned by the*
7 *State of California, or any political subdivision there-*
8 *of, may be acquired only by donation or exchange ex-*
9 *cept for lands managed by the California State Lands*
10 *Commission; and*

11 *(2) lands or interests therein within the bound-*
12 *ary of the preserve which are not owned by the State*
13 *of California or any political subdivision thereof may*
14 *be acquired only with the consent of the owner thereof*
15 *unless the Secretary determines, after written notice*
16 *to the owner and after opportunity for comment, that*
17 *the property is being developed, or proposed to be de-*
18 *veloped, in a manner which is detrimental to the in-*
19 *tegrity of the preserve or which is otherwise incompat-*
20 *ible with the purposes of this title.*

21 *ACQUIRED LANDS BE MADE PART OF MOJAVE NATIONAL*

22 *PRESERVE*

23 *SEC. 415. Any lands acquired by the Secretary under*
24 *this title shall become part of the Mojave National Preserve.*

1 *MOJAVE NATIONAL PRESERVE ADVISORY COMMISSION*

2 *SEC. 416. (a) The Secretary shall establish an advisory*
3 *commission of no more than 15 members, to advise the Sec-*
4 *retary concerning the development and implementation of*
5 *a new or revised comprehensive management plan for Mo-*
6 *jave National Preserve.*

7 *(b)(1) The advisory commission shall include an elect-*
8 *ed official for each County within which any part of the*
9 *preserve is located, a representative of the owners of private*
10 *properties located within or immediately adjacent to the*
11 *preserve, and other members representing persons actively*
12 *engaged in grazing and range management, mineral explo-*
13 *ration and development, and persons with expertise in rel-*
14 *evant fields, including geology, biology, ecology, law enforce-*
15 *ment, and the protection and management of National Park*
16 *resources and values.*

17 *(2) Vacancies in the commission shall be filled by the*
18 *Secretary so as to maintain the full diversity of views re-*
19 *quired to be represented on the Commission.*

20 *(c) The Federal Advisory Committee Act shall apply*
21 *to the procedures and activities of the advisory commission.*

22 *(d) The advisory commission shall cease to exist ten*
23 *years after the date of its establishment.*

24 *NO ADVERSE AFFECT ON LAND UNTIL ACQUIRED*

25 *SEC. 417. Unless and until acquired by the United*
26 *States, no lands within the boundaries of wilderness areas*

1 *or National Park System units designated or enlarged by*
 2 *this Act that are owned by any person or entity other than*
 3 *the United States shall be subject to any of the rules or regu-*
 4 *lations applicable solely to the Federal lands within such*
 5 *boundaries and may be used to the extent allowed by appli-*
 6 *cable law. Neither the location of such lands within such*
 7 *boundaries nor the possible acquisition of such lands by the*
 8 *United States shall constitute a bar to the otherwise lawful*
 9 *issuance of any Federal license or permit other than a li-*
 10 *cence or permit related to activities governed by 16 U.S.C.*
 11 *460l-22(c). Nothing in this section shall be construed as af-*
 12 *fecting the applicability of any provision of the Mining in*
 13 *the Parks Act (16 U.S.C. 1901 et seq.), the Clean Air Act*
 14 *(42 U.S.C. 7401 et seq.), or regulations applicable to oil*
 15 *and gas development as set forth in 36 CFR 9B.*

16 TITLE V—NATIONAL PARK WILDERNESS

17 DESIGNATION OF WILDERNESS

18 *SEC. 501. The following lands are hereby designated*
 19 *as wilderness in accordance with the Wilderness Act (78*
 20 *Stat. 890; 16 U.S.C. 1131 et seq.) and shall be administered*
 21 *by the Secretary of the Interior in accordance with the ap-*
 22 *plicable provisions of the Wilderness Act:*

23 *(1) Death Valley National Park Wilderness, com-*
 24 *prising approximately three million one hundred*
 25 *sixty-two thousand one hundred and thirty-eight*

1 *acres, as generally depicted on 23 maps entitled*
 2 *“Death Valley National Park Boundary and Wilder-*
 3 *ness”, numbered in the title one through twenty-three,*
 4 *and dated May 1994 or prior, and three maps enti-*
 5 *tled “Death Valley National Park Wilderness”, num-*
 6 *bered in the title one through three, and dated May*
 7 *1994 or prior, and which shall be known as the Death*
 8 *Valley Wilderness.*

9 *(2) Joshua Tree National Park Wilderness Addi-*
 10 *tions, comprising approximately one hundred thirty-*
 11 *one thousand seven hundred and eighty acres, as gen-*
 12 *erally depicted on four maps entitled “Joshua Tree*
 13 *National Park Boundary and Wilderness—Proposed”,*
 14 *numbered in the title one through four, and dated Oc-*
 15 *tober 1991 or prior, and which are hereby incor-*
 16 *porated in, and which shall be deemed to be a part*
 17 *of the Joshua Tree Wilderness as designated by Public*
 18 *Law 94–567.*

19 *(3) Mojave National Preserve Wilderness, com-*
 20 *prising approximately six hundred ninety-four thou-*
 21 *sand acres, as generally depicted on ten maps entitled*
 22 *“Mojave National Park Boundary and Wilderness—*
 23 *Proposed”, numbered in the title one through ten, and*
 24 *dated May 1994 or prior, and seven maps entitled*
 25 *“Mojave National Park Wilderness—Proposed”, num-*

bered in the title one through seven, and dated May 1994 or prior, and which shall be known as the Mojave Wilderness.

(4) Upon cessation of all uses prohibited by the Wilderness Act and publication by the Secretary in the Federal Register of notice of such cessation, potential wilderness, comprising approximately six thousand eight hundred and forty acres, as described in “1988 Death Valley National Monument Draft General Management Plan Draft Environmental Impact Statement” (hereafter in this title referred to as “Draft Plan”) and as generally depicted on a map in the Draft Plan entitled “Wilderness Plan Death Valley National Monument”, dated January 1988, shall be deemed to be a part of the Death Valley Wilderness as designated in paragraph (1). Lands identified in the Draft Plan as potential wilderness shall be managed by the Secretary insofar as practicable as wilderness until such time as said lands are designated as wilderness.

FILING OF MAPS AND DESCRIPTIONS

SEC. 502. Maps and a legal description of the boundaries of the areas designated in section 501 of this title shall be on file and available for public inspection in the Office of the Director of the National Park Service, Department of the Interior, and in the Office of the Superintendent of

1 *each area designated in section 501. As soon as practicable*
 2 *after this title takes effect, maps of the wilderness areas and*
 3 *legal descriptions of their boundaries shall be filed with the*
 4 *Committee on Energy and Natural Resources of the Senate*
 5 *and the Committee on Natural Resources of the House of*
 6 *Representatives, and such maps and descriptions shall have*
 7 *the same force and effect as if included in this title, except*
 8 *that the Secretary may correct clerical and typographical*
 9 *errors in such maps and descriptions.*

10 ADMINISTRATION OF WILDERNESS AREAS

11 *SEC. 503. The areas designated by section 501 of this*
 12 *title as wilderness shall be administered by the Secretary*
 13 *in accordance with the applicable provisions of the Wilder-*
 14 *ness Act governing areas designated by that title as wilder-*
 15 *ness, except that any reference in such provision to the effec-*
 16 *tive date of the Wilderness Act shall be deemed to be a ref-*
 17 *erence to the effective date of this title, and where appro-*
 18 *priate, and reference to the Secretary of Agriculture shall*
 19 *be deemed to be a reference to the Secretary of the Interior.*

20 TITLE VI—MISCELLANEOUS PROVISIONS

21 TRANSFER OF LANDS TO RED ROCK CANYON STATE PARK

22 *SEC. 601. Upon enactment of this title, the Secretary*
 23 *of the Interior shall transfer to the State of California cer-*
 24 *tain lands within the California Desert Conservation Area,*
 25 *California, of the Bureau of Land Management, comprising*
 26 *approximately twenty thousand five hundred acres, as gen-*

1 erally depicted on two maps entitled "Red Rock Canyon
 2 State Park Additions 1" and "Red Rock Canyon State
 3 Park Additions 2", dated May 1991, for inclusion in the
 4 State of California Park System. Should the State of Cali-
 5 fornia cease to manage these lands as part of the State Park
 6 System, ownership of the lands shall revert to the Depart-
 7 ment of the Interior to be managed as part of the California
 8 Desert Conservation Area to provide maximum protection
 9 for the area's scenic and scientific values.

10 DESERT LILY SANCTUARY

11 SEC. 602. (a) There is hereby established the Desert
 12 Lily Sanctuary within the California Desert Conservation
 13 Area, California, of the Bureau of Land Management, com-
 14 prising approximately two thousand forty acres, as gen-
 15 erally depicted on a map entitled "Desert Lily Sanctuary",
 16 dated February 1986. The Secretary of the Interior shall
 17 administer the area to provide maximum protection to the
 18 desert lily.

19 (b) Subject to valid existing rights, Federal lands with-
 20 in the sanctuary, and interests therein, are withdrawn from
 21 disposition under the public land laws and from entry or
 22 appropriation under the mining laws of the United States,
 23 from the operation of the mineral leasing laws of the United
 24 States, and from operation of the Geothermal Steam Act
 25 of 1970.

LAND TENURE ADJUSTMENTS

1
2 *SEC. 603. In preparing land tenure adjustment deci-*
3 *sions within the California Desert Conservation Area, of the*
4 *Bureau of Land Management, the Secretary shall give pri-*
5 *ority to consolidating Federal ownership within the na-*
6 *tional park units and wilderness areas designated by this*
7 *Act.*

DISPOSAL PROHIBITION

8
9 *SEC. 604. Notwithstanding any other provision of law,*
10 *the Secretary of the Interior and the Secretary of Agri-*
11 *culture may not dispose of any lands within the boundaries*
12 *of the wilderness, parks, or preserve designated under this*
13 *Act or grant a right-of-way in any lands within the bound-*
14 *aries of the wilderness designated under this Act. Further,*
15 *none of the lands within the boundaries of the wilderness,*
16 *parks, or preserve designated under this Act shall be granted*
17 *to or otherwise made available for use by the Metropolitan*
18 *Water District and any other agencies or persons pursuant*
19 *to the Boulder Canyon Project Act (43 U.S.C. 617–619b)*
20 *or any similar Acts.*

MANAGEMENT OF NEWLY ACQUIRED LANDS

21
22 *SEC. 605. Any lands within the boundaries of a wil-*
23 *derness area designated under this Act which are acquired*
24 *by the Federal Government shall become part of the wilder-*
25 *ness area within which they are located and shall be man-*

1 *aged in accordance with all the provisions of this Act and*
 2 *other laws applicable to such wilderness area.*

3 *NATIVE AMERICAN USES*

4 *SEC. 606. (a) In recognition of the past use of the*
 5 *parks, wilderness, and preserve areas designed under this*
 6 *Act by Indian people for traditional cultural and religious*
 7 *purposes, the Secretary shall ensure access to such parks,*
 8 *wilderness, and preserve areas by Indian people for such*
 9 *traditional cultural and religious purposes. In implement-*
 10 *ing this section, the Secretary, upon the request of an In-*
 11 *dian tribe or Indian religious community, shall tempo-*
 12 *rarily close to the general public use of one or more specific*
 13 *portions of park, wilderness, or preserve areas in order to*
 14 *protect the privacy of traditional cultural and religious ac-*
 15 *tivities in such areas by Indian people. Such access shall*
 16 *be consistent with the purpose and intent of Public Law*
 17 *95-341 (42 U.S.C. 1996) commonly referred to as the*
 18 *“American Indian Religious Freedom Act”, and with re-*
 19 *spect to areas designated as wilderness, the Wilderness Act*
 20 *(78 Stat. 890; 16 U.S.C. 1131).*

21 *(b)(1) The Secretary, in consultation with the*
 22 *Timbisha Shoshone Tribe and relevant Federal agencies,*
 23 *shall conduct a study, subject to the availability of appro-*
 24 *priations, to identify lands suitable for a reservation for*
 25 *the Timbisha Shoshone Tribe that are located within the*
 26 *Tribe’s aboriginal homeland area.*

8 *SEC. 607. (a) With respect to each wilderness area des-*
9 *ignated by this Act, Congress hereby reserves a quantity of*
10 *water sufficient to fulfill the purposes of this Act. The*
11 *priority date of such reserved water rights shall be the date*
12 *of enactment of this Act.*

(b) *The Secretary of the Interior and all other officers of the United States shall take all steps necessary to protect the rights reserved by this section, including the filing by the Secretary of a claim for the quantification of such rights in any present or future appropriate stream adjudication in the courts of the State of California in which the United States is or may be joined and which is conducted in accordance with section 208 of the Act of July 10, 1952 (66 Stat. 560, 43 U.S.C. 666; commonly referred to as the McCarran Amendment).*

(c) Nothing in this Act shall be construed as a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State of California on or before the date of enactment of this Act.

1 (d) *The Federal water rights reserved by this Act are*
 2 *specific to the wilderness areas located in the State of Cali-*
 3 *fornia designated under this Act. Nothing in this Act relat-*
 4 *ed to the reserved Federal water rights shall be construed*
 5 *as establishing a precedent with regard to any future des-*
 6 *ignations, nor shall it constitute an interpretation of any*
 7 *other Act or any designation made thereto.*

8 (e) *Nothing in this Act shall be construed to affect the*
 9 *operation of federally owned dams located on the Colorado*
 10 *River in the Lower Basin.*

11 (f) *Nothing in this Act shall be construed to amend,*
 12 *supersede, or preempt any State law, Federal law, inter-*
 13 *state compact, or international treaty pertaining to the Col-*
 14 *orado River (including its tributaries) in the Upper Basin,*
 15 *including, but not limited to the appropriation, use, devel-*
 16 *opment, storage, regulation, allocation, conservation, expor-*
 17 *tation, or quality of those rivers.*

18 (g) *With respect to the Havasu and Imperial wilder-*
 19 *ness areas designated by section 111 of title I of this Act,*
 20 *no rights to water of the Colorado River are reserved, either*
 21 *expressly, impliedly, or otherwise.*

22 STATE SCHOOL LANDS

23 SEC. 608. (a) *Upon request of the California State*
 24 *Lands Commission (hereinafter in this section referred to*
 25 *as the "Commission"), the Secretary shall enter into nego-*
 26 *tiations for an agreement to exchange Federal lands or in-*

1 *terests therein on the list referred to in subsection (b)(2)*
 2 *for California State School Lands (hereinafter in this sec-*
 3 *tion referred to as "State School Lands") or interests there-*
 4 *in which are located within the boundaries of one or more*
 5 *of the wilderness areas or park units designated by this Act.*
 6 *The Secretary shall negotiate in good faith to reach a land*
 7 *exchange agreement consistent with the requirements of sec-*
 8 *tion 206 of the Federal Land Policy and Management Act*
 9 *of 1976.*

10 *(b) Within six months after the date of enactment of*
 11 *this Act, the Secretary shall send to the Commission and*
 12 *to the Committees a list of the following:*

13 *(1) The State School Lands or interests therein*
 14 *(including mineral interests) which are located within*
 15 *the boundaries of the wilderness areas or park units*
 16 *designated by this Act.*

17 *(2) Lands under the Secretary's jurisdiction to*
 18 *be offered for exchange, including in the following*
 19 *priority:*

20 *(A) Lands with mineral interests, including*
 21 *geothermal, which have the potential for commer-*
 22 *cial development but which are not currently*
 23 *under mineral lease or producing Federal min-*
 24 *eral revenues.*

1 (B) Federal lands in California managed
2 by the Bureau of Reclamation that the Secretary
3 determines are not needed for any Bureau of
4 Reclamation project.

5 (C) Any public lands in California that the
6 Secretary, pursuant to the Federal Land Policy
7 and Management Act of 1976, has determined to
8 be suitable for disposal through exchange.

9 (3) The Secretary may exclude, in his discretion,
10 lands located within, or contiguous to, the exterior
11 boundaries of lands held in trust for a federally recog-
12 nized Indian tribe located in the State of California.

13 (c)(1) If an agreement under this section is for an ex-
14 change involving five thousand acres or less of Federal land
15 or interests therein, or Federal lands valued at less than
16 \$5,000,000, the Secretary may carry out the exchange in
17 accordance with the Federal Land Policy and Management
18 Act of 1976.

19 (2) If an agreement under this section is for an ex-
20 change involving more than five thousand acres of Federal
21 land or interests therein, or Federal land valued at more
22 than \$5,000,000, the agreement shall be submitted to the
23 Committees, together with a report containing—

24 (A) a complete list and appraisal of the lands or
25 interests in lands proposed for exchange; and

1 (B) a determination that the State School Lands
2 proposed to be acquired by the United States do not
3 contain any hazardous waste, toxic waste, or radio-
4 active waste.

5 (d) An agreement submitted under subsection (c)(2)
6 shall not take effect unless approved by a joint resolution
7 enacted by the Congress.

8 (e) If exchanges of all of the State School Lands are
9 not completed by October 1, 2004, the Secretary shall adjust
10 the appraised value of any remaining inholdings consistent
11 with the provisions of section 206 of the Federal Land Man-
12 agement Policy Act of 1976. The Secretary shall establish
13 an account in the name of the Commission in the amount
14 of such appraised value. Title to the State School Lands
15 shall be transferred to the United States at the time such
16 account is credited.

17 (f) The Commission may use the credit in its account
18 to bid, as any other bidder, for excess or surplus Federal
19 property to be sold in the State of California in accordance
20 with the applicable laws and regulations of the Federal
21 agency offering such property for sale. The account shall
22 be adjusted to reflect successful bids under this section or
23 payments or forfeited deposits, penalties, or other costs as-
24 sessed to the bidder in the course of such sales. In the event
25 that the balance in the account has not been reduced to zero

1 *by October 1, 2009, there are authorized to be appropriated*
 2 *to the Secretary for payment to the California State Lands*
 3 *Commission funds equivalent to the balance remaining in*
 4 *the account as of October 1, 2009.*

5 *(g) As used in this section, the term "Committees"*
 6 *means the Committee on Natural Resources of the House*
 7 *of Representatives and the Committee on Energy and Natu-*
 8 *ral Resources of the Senate.*

9 *EXCHANGES*

10 *SEC. 609. (a) Upon request of the holder of private*
 11 *lands (hereafter in this section referred to as the "land-*
 12 *owner"), the Secretary shall enter into negotiations for an*
 13 *agreement or agreements to exchange Federal lands or inter-*
 14 *ests therein on the list referred to in subsection (b)(2) of*
 15 *this section for lands of the landowner or interests therein*
 16 *which are located within the boundaries of one or more of*
 17 *the wilderness areas or park units designated by this Act.*

18 *(b) Within six months after the date of enactment of*
 19 *this Act, the Secretary shall send to the landowner and to*
 20 *the Committees a list of the following:*

21 *(1) Lands of the landowner or interests therein*
 22 *(including mineral interests) which are located within*
 23 *the boundaries of the wilderness areas or park units*
 24 *designated by this Act.*

25 *(2) Lands under the Secretary's jurisdiction to*
 26 *be offered for exchange, in the following priority:*

1 (A) *Lands, including lands with mineral*
2 *and geothermal interests, which have the poten-*
3 *tial for commercial development but which are*
4 *not currently under lease or producing Federal*
5 *revenues.*

6 (B) *Federal lands managed by the Bureau*
7 *of Reclamation that the Secretary determines are*
8 *not needed for any Bureau of Reclamation*
9 *project.*

10 (C) *Any public lands that the Secretary,*
11 *pursuant to the Federal Land Policy and Man-*
12 *agement Act of 1976, has determined to be suit-*
13 *able for disposal through exchange.*

14 (3) *The Secretary may exclude, in his discretion,*
15 *lands located within, or contiguous to, the exterior*
16 *boundaries of lands held in trust for a federally recog-*
17 *nized Indian tribe located in the State of California.*

18 (c)(1) *If an agreement under this section is for (A)*
19 *an exchange involving lands outside the State of California,*
20 *(B) more than 5,000 acres of Federal land or interests there-*
21 *in in California, or (C) Federal lands in any State valued*
22 *at more than \$5,000,000, the Secretary shall provide to the*
23 *Committees a detailed report of each such land exchange*
24 *agreement.*

1 (2) All land exchange agreements shall be consistent
2 with the Federal Land Policy and Management Act of 1976.

3 (3) Any report submitted to the Committees under this
4 subsection shall include the following:

5 (A) A complete list and appraisal of the lands
6 or interests in land proposed for exchange.

7 (B) A complete list of the lands, if any, to be ac-
8 quired by the United States which contain any haz-
9 ardous waste, toxic waste, or radioactive waste which
10 requires removal or remedial action under Federal or
11 State law, together with the estimated costs of any
12 such action.

13 (4) An agreement under this subsection shall not take
14 effect unless approved by a joint resolution enacted by the
15 Congress.

16 (d) The Secretary shall provide the California State
17 Lands Commission with a one hundred eighty-day right of
18 first refusal to exchange for any Federal lands or interests
19 therein, located in the State of California, on the list re-
20 ferred to in subsection (b)(2). Any lands with respect to
21 which a right of first refusal is not noticed within such pe-
22 riod or exercised under this subsection shall be available
23 to the landowner for exchange in accordance with this
24 section.

1 (e) On January 3, 1999, the Secretary shall provide
2 to the Committees a list and appraisal consistent with the
3 Federal Land Policy and Management Act of 1976 of all
4 private lands eligible for exchange under this section for
5 which an exchange has not been completed. With respect to
6 any of such lands for which an exchange has not been com-
7 pleted by October 1, 2004 (hereafter in this section referred
8 to as “remaining lands”), the Secretary shall establish an
9 account in the name of each landowner (hereafter in this
10 section referred to as the “exchange account”). Upon the
11 transfer of title by the landowner to all or a portion of the
12 remaining lands to the United States, the Secretary shall
13 credit the exchange account in the amount of the appraised
14 value of the transferred remaining lands at the time of such
15 transfer.

16 (f) The landowner may use the credit in its account
17 to bid, as any other bidder, for excess or surplus Federal
18 property to be sold in the State of California in accordance
19 with the applicable laws and regulations of the Federal
20 agency offering such property for sale. The account shall
21 be adjusted to reflect successful bids under this section or
22 payments or forfeited deposits, penalties, or other costs as-
23 sessed to the bidder in the course of such sales. Upon ap-
24 proval by the Secretary in writing, the credits in the land-
25 owner’s exchange account may be transferred or sold in

1 whole or in part by the landowner to any other party, there-
 2 by vesting such party with all the rights formerly held by
 3 the landowner. The exchange account shall be adjusted to
 4 reflect successful bids under this section or payments or for-
 5 feited deposits, penalties, or other costs assessed to the bidder
 6 in the course of such sales.

7 (g)(1) The Secretary shall not accept title pursuant to
 8 this section to any lands unless such title includes all right,
 9 title, and interest in and to the fee estate.

10 (2) Notwithstanding paragraph (1), the Secretary may
 11 accept title to any subsurface estate where the United States
 12 holds title to the surface estate.

13 (3) This subsection does not apply to easements and
 14 rights-of-way for utilities or roads.

15 (h) In no event shall the Secretary accept title under
 16 this section to lands which contain any hazardous waste,
 17 toxic waste, or radioactive waste which requires removal or
 18 remedial action under Federal or State law unless such re-
 19 medial action has been completed prior to the transfer.

20 (i) For purposes of the section, any appraisal shall be
 21 consistent with the provisions of section 206 of the Federal
 22 Land Policy and Management Act of 1976.

23 (j) As used in this section, the term "Committees"
 24 means the Committee on Natural Resources of the House

1 *of Representatives and the Committee on Energy and Natu-*
2 *ral Resources of the Senate.*

3 *TITLE VII—DEFINITIONS AND AUTHORIZATION*
4 *OF APPROPRIATIONS*

5 *DEFINITIONS*

6 *SEC. 701. For the purposes of this Act:*

7 *(1) The term “Secretary”, unless specifically des-*
8 *ignated otherwise, means the Secretary of the Interior.*

9 *(2) The term “public lands” means any land*
10 *and interest in land owned by the United States and*
11 *administered by the Secretary of the Interior through*
12 *the Bureau of Land Management.*

13 *AUTHORIZATION OF APPROPRIATIONS*

14 *SEC. 702. There are hereby authorized to be appro-*
15 *priated to the National Park Service and Bureau of Land*
16 *Management to carry out the purposes of this Act an*
17 *amount not to exceed \$36,000,000 over and above that pro-*
18 *vided in fiscal year 1994 for additional administrative and*
19 *construction costs over the fiscal year 1995–1999 period and*
20 *\$300,000,000 for all land acquisition costs. No funds in ex-*
21 *cess of these amounts may be used for construction, admin-*
22 *istration, or land acquisition authorized under this Act*
23 *without a specific authorization in an Act of Congress en-*
24 *acted after the date of enactment of this Act.*

LAND APPRAISAL

1
2 *SEC. 703. Lands and interests in lands acquired pur-*
3 *suant to this Act shall be appraised without regard to the*
4 *presence of a species listed as threatened or endangered pur-*
5 *suant to the Endangered Species Act of 1973 (16 U.S.C.*
6 *1531 et seq.).*

7 ***TITLE VIII—CALIFORNIA***
8 ***MILITARY LANDS WITHDRAWAL***

9 ***SEC. 801. SHORT TITLE AND FINDINGS.***

10 *(a) SHORT TITLE.—This title may be cited as the*
11 *“California Military Lands Withdrawal and Overflights*
12 *Act of 1994”.*

13 *(b) FINDINGS.—The Congress finds that—*

14 *(1) the Federal lands within the desert regions of*
15 *California have provided essential opportunities for*
16 *military training, research, and development for the*
17 *Armed Forces of the United States and allied nations;*

18 *(2) alternative sites for military training and*
19 *other military activities carried out on Federal lands*
20 *in the California desert area are not readily avail-*
21 *able;*

22 *(3) while changing world conditions have less-*
23 *ened to some extent the immediacy of military threats*
24 *to the national security of the United States and its*
25 *allies, there remains a need for military training, re-*

1 *search, and development activities of the types that*
 2 *have been carried out on Federal lands in the Califor-*
 3 *nia desert area; and*

4 (4) *continuation of existing military training,*
 5 *research, and development activities, under appro-*
 6 *priate terms and conditions, is not incompatible with*
 7 *the protection and proper management of the natural,*
 8 *environmental, cultural, and other resources and val-*
 9 *ues of the Federal lands in the California desert area.*

10 **SEC. 802. WITHDRAWALS.**

11 (a) *CHINA LAKE.*—(1) *Subject to valid existing rights*
 12 *and except as otherwise provided in this title, the Federal*
 13 *lands referred to in paragraph (2), and all other areas with-*
 14 *in the boundary of such lands as depicted on the map speci-*
 15 *fied in such paragraph which may become subject to the*
 16 *operation of the public land laws, are hereby withdrawn*
 17 *from all forms of appropriation under the public land laws*
 18 *(including the mining laws and the mineral leasing laws).*
 19 *Such lands are reserved for use by the Secretary of the Navy*
 20 *for—*

21 (A) *use as a research, development, test, and*
 22 *evaluation laboratory;*

23 (B) *use as a range for air warfare weapons and*
 24 *weapon systems;*

1 (C) use as a high hazard training area for aerial
2 gunnery, rocketry, electronic warfare and counter-
3 measures, tactical maneuvering and air support; and

4 (D) subject to the requirements of section 804(f),
5 other defense-related purposes consistent with the pur-
6 poses specified in this paragraph.

7 (2) The lands referred to in paragraph (1) are the Fed-
8 eral lands, located within the boundaries of the China Lake
9 Naval Weapons Center, comprising approximately
10 1,100,000 acres in Inyo, Kern, and San Bernardino Coun-
11 ties, California, as generally depicted on a map entitled
12 “China Lake Naval Weapons Center Withdrawal—Pro-
13 posed”, dated January 1985, and filed in accordance with
14 section 803.

15 (b) CHOCOLATE MOUNTAIN.—(1) Subject to valid ex-
16 isting rights and except as otherwise provided in this title,
17 the Federal lands referred to in paragraph (2), and all other
18 areas within the boundary of such lands as depicted on the
19 map specified in such paragraph which may become subject
20 to the operation of the public land laws, are hereby with-
21 drawn from all forms of appropriation under the public
22 land laws (including the mining laws and the mineral leas-
23 ing and the geothermal leasing laws). Such lands are re-
24 served for use by the Secretary of the Navy for—

1 (A) testing and training for aerial bombing, mis-
2 sile firing, tactical maneuvering and air support; and

3 (B) subject to the provisions of section 804(f),
4 other defense-related purposes consistent with the pur-
5 poses specified in this paragraph.

6 (2) The lands referred to in paragraph (1) are the Fed-
7 eral lands comprising approximately 226,711 acres in Im-
8 perial County, California, as generally depicted on a map
9 entitled “Chocolate Mountain Aerial Gunnery Range Pro-
10 posed—Withdrawal” dated July 1993 and filed in accord-
11 ance with section 803.

12 (c) EL CENTRO RANGES.—(1) Subject to valid existing
13 rights, and except as otherwise provided in this title, the
14 Federal lands referred to in paragraph (2), and all other
15 areas within the boundaries of such lands as depicted on
16 the map specified in such paragraph which may become
17 subject to the operation of the public land laws, are hereby
18 withdrawn from all forms of appropriation under the pub-
19 lic land laws (including the mining laws) but not the min-
20 eral or geothermal leasing laws. Such lands are reserved
21 for use by the Secretary of the Navy for—

22 (A) defense-related purposes in accordance with
23 the Memorandum of Understanding dated June 29,
24 1987, between the Bureau of Land Management, the

1 *Bureau of Reclamation, and the Department of the*
 2 *Navy; and*

3 *(B) subject to the provisions of section 804(f),*
 4 *other defense-related purposes consistent with the pur-*
 5 *poses specified in this paragraph.*

6 *(2) The lands referred to in paragraph (1) are the Fed-*
 7 *eral lands comprising approximately 46,600 acres in Impe-*
 8 *rial County, California, as generally depicted on a map en-*
 9 *titled “Exhibit A, Naval Air Facility, El Centro, Califor-*
 10 *nia, Land Acquisition Map, Range 2510 (West Mesa) dated*
 11 *March 1993 and a map entitled “Exhibit B, Naval Air Fa-*
 12 *cility, El Centro, California, Land Acquisition Map Range*
 13 *2512 (East Mesa)” dated March 1993.*

14 **SEC. 803. MAPS AND LEGAL DESCRIPTIONS.**

15 *(a) PUBLICATION AND FILING REQUIREMENT.—As*
 16 *soon as practicable after the date of enactment of this title,*
 17 *the Secretary of the Interior shall—*

18 *(1) publish in the Federal Register a notice con-*
 19 *taining the legal description of the lands withdrawn*
 20 *and reserved by this title; and*

21 *(2) file maps and the legal description of the*
 22 *lands withdrawn and reserved by this title with the*
 23 *Committee on Energy and Natural Resources of the*
 24 *United States Senate and with the Committee on*

1 *Natural Resources of the United States House of Rep-*
 2 *resentatives.*

3 (b) *TECHNICAL CORRECTIONS.*—*Such maps and legal*
 4 *descriptions shall have the same force and effect as if they*
 5 *were included in this title except that the Secretary of the*
 6 *Interior may correct clerical and typographical errors in*
 7 *such maps and legal descriptions.*

8 (c) *AVAILABILITY FOR PUBLIC INSPECTION.*—*Copies of*
 9 *such maps and legal descriptions shall be available for pub-*
 10 *lic inspection in the Office of the Director of the Bureau*
 11 *of Land Management, Washington, District of Columbia;*
 12 *the Office of the Director, California State Office of the Bu-*
 13 *reau of Land Management, Sacramento, California; the of-*
 14 *fice of the commander of the Naval Weapons Center, China*
 15 *Lake, California; the office of the commanding officer, Ma-*
 16 *rine Corps Air Station, Yuma, Arizona; and the Office of*
 17 *the Secretary of Defense, Washington, District of Columbia.*

18 (d) *REIMBURSEMENT.*—*The Secretary of Defense shall*
 19 *reimburse the Secretary of the Interior for the cost of imple-*
 20 *menting this section.*

21 **SEC. 804. MANAGEMENT OF WITHDRAWN LANDS.**

22 (a) *MANAGEMENT BY THE SECRETARY OF THE INTE-*
 23 *RIOR.*—(1) *Except as provided in subsection (g), during the*
 24 *period of the withdrawal the Secretary of the Interior shall*
 25 *manage the lands withdrawn under section 802 pursuant*

1 *to the Federal Land Policy and Management Act of 1976*
2 *(43 U.S.C. 1701 et seq.) and other applicable law, including*
3 *this Act.*

4 *(2) To the extent consistent with applicable law and*
5 *Executive orders, the lands withdrawn under section 802*
6 *may be managed in a manner permitting—*

7 *(A) the continuation of grazing pursuant to ap-*
8 *plicable law and Executive orders where permitted on*
9 *the date of enactment of this title;*

10 *(B) protection of wildlife and wildlife habitat;*

11 *(C) control of predatory and other animals;*

12 *(D) recreation (but only on lands withdrawn by*
13 *section 802(a) (relating to China Lake));*

14 *(E) the prevention and appropriate suppression*
15 *of brush and range fires resulting from nonmilitary*
16 *activities; and*

17 *(F) geothermal leasing and development and re-*
18 *lated power production activities on the lands with-*
19 *drawn under section 802(a) (relating to China Lake).*

20 *(3)(A) All nonmilitary use of such lands, including the*
21 *uses described in paragraph (2), shall be subject to such con-*
22 *ditions and restrictions as may be necessary to permit the*
23 *military use of such lands for the purposes specified in or*
24 *authorized pursuant to this title.*

1 (B) *The Secretary of the Interior may issue any lease,*
2 *easement, right-of-way, or other authorization with respect*
3 *to the nonmilitary use of such lands only with the concur-*
4 *rence of the Secretary of the Navy.*

5 (b) *CLOSURE TO PUBLIC.—(1) If the Secretary of the*
6 *Navy determines that military operations, public safety, or*
7 *national security require the closure to public use of any*
8 *road, trail, or other portion of the lands withdrawn by this*
9 *title, the Secretary may take such action as the Secretary*
10 *determines necessary or desirable to effect and maintain*
11 *such closure.*

12 (2) *Any such closure shall be limited to the minimum*
13 *areas and periods which the Secretary of the Navy deter-*
14 *mines are required to carry out this subsection.*

15 (3) *Before and during any closure under this sub-*
16 *section, the Secretary of the Navy shall—*

17 (A) *keep appropriate warning notices posted;*
18 *and*

19 (B) *take appropriate steps to notify the public*
20 *concerning such closures.*

21 (c) *MANAGEMENT PLAN.—The Secretary of the Inte-*
22 *rior (after consultation with the Secretary of the Navy)*
23 *shall develop a plan for the management of each area with-*
24 *drawn under section 802 during the period of such with-*
25 *drawal. Each plan shall—*

1 (1) *be consistent with applicable law;*

2 (2) *be subject to conditions and restrictions spec-*
3 *ified in subsection (a)(3);*

4 (3) *include such provisions as may be necessary*
5 *for proper management and protection of the re-*
6 *sources and values of such area; and*

7 (4) *be developed not later than three years after*
8 *the date of enactment of this title.*

9 (d) *BRUSH AND RANGE FIRES.*—*The Secretary of the*
10 *Navy shall take necessary precautions to prevent and sup-*
11 *press brush and range fires occurring within and outside*
12 *the lands withdrawn under section 802 as a result of mili-*
13 *tary activities and may seek assistance from the Bureau*
14 *of Land Management in the suppression of such fires. The*
15 *memorandum of understanding required by subsection (e)*
16 *shall provide for Bureau of Land Management assistance*
17 *in the suppression of such fires, and for a transfer of funds*
18 *from the Department of the Navy to the Bureau of Land*
19 *Management as compensation for such assistance.*

20 (e) *MEMORANDUM OF UNDERSTANDING.*—(1) *The Sec-*
21 *retary of the Interior and the Secretary of the Navy shall*
22 *(with respect to each land withdrawal under section 802)*
23 *enter into a memorandum of understanding to implement*
24 *the management plan developed under subsection (c). Any*
25 *such memorandum of understanding shall provide that the*

1 *Director of the Bureau of Land Management shall provide*
2 *assistance in the suppression of fires resulting from the*
3 *military use of lands withdrawn under section 802 if re-*
4 *quested by the Secretary of the Navy.*

5 *(2) The duration of any such memorandum shall be*
6 *the same as the period of the withdrawal of the lands under*
7 *section 802.*

8 *(f) ADDITIONAL MILITARY USES.—(1) Lands with-*
9 *drawn by section 802 may be used for defense-related uses*
10 *other than those specified in such section. The Secretary of*
11 *Defense shall promptly notify the Secretary of the Interior*
12 *in the event that the lands withdrawn by this title will be*
13 *used for defense-related purposes other than those specified*
14 *in section 802. Such notification shall indicate the addi-*
15 *tional use or uses involved, the proposed duration of such*
16 *uses, and the extent to which such additional military uses*
17 *of the withdrawn lands will require that additional or more*
18 *stringent conditions or restrictions be imposed on otherwise-*
19 *permitted nonmilitary uses of the withdrawn land or por-*
20 *tions thereof.*

21 *(g) MANAGEMENT OF CHINA LAKE.—(1) The Secretary*
22 *of the Interior may assign the management responsibility*
23 *for the lands withdrawn under section 802(a) to the Sec-*
24 *retary of the Navy who shall manage such lands, and issue*
25 *leases, easements, rights-of-way, and other authorizations,*

1 *in accordance with this title and cooperative management*
2 *arrangements between the Secretary of the Interior and the*
3 *Secretary of the Navy. In the case that the Secretary of the*
4 *Interior assigns such management responsibility to the Sec-*
5 *retary of the Navy before the development of the manage-*
6 *ment plan under subsection (c), the Secretary of the Navy*
7 *(after consultation with the Secretary of the Interior) shall*
8 *develop such management plan. Nothing in this title shall*
9 *affect geothermal leases issued by the Secretary of the Inte-*
10 *rior prior to the date of enactment of this title or the respon-*
11 *sibility of the Secretary to administer and manage such*
12 *leases consistent with the provisions of this title.*

13 (2) *The Secretary of the Interior shall be responsible*
14 *for the issuance of any lease, easement, right-of-way, and*
15 *other authorization with respect to any activity which in-*
16 *volves both the lands withdrawn under section 802(a) and*
17 *any other lands. Any such authorization shall be issued*
18 *only with the consent of the Secretary of the Navy and, to*
19 *the extent that such activity involves lands withdrawn*
20 *under section 802(a), shall be subject to such conditions as*
21 *the Secretary of the Navy may prescribe.*

22 (3) *The Secretary of the Navy shall prepare and sub-*
23 *mit to the Secretary of the Interior an annual report on*
24 *the status of the natural and cultural resources and values*
25 *of the lands withdrawn under section 802(a). The Secretary*

1 *of the Interior shall transmit such report to the Committee*
2 *on Natural Resources of the House of Representatives and*
3 *the Committee on Energy and Natural Resources of the*
4 *Senate.*

5 (4) *The Secretary of the Navy shall be responsible for*
6 *the management of wild horses and burros located on the*
7 *lands withdrawn under section 802(a) and may utilize heli-*
8 *copters and motorized vehicles for such purposes. Such man-*
9 *agement shall be in accordance with laws applicable to such*
10 *management on public lands and with an appropriate*
11 *memorandum of understanding between the Secretary of the*
12 *Interior and the Secretary of the Navy.*

13 (5) *Neither this Act nor any other provision of law*
14 *shall be construed to prohibit the Secretary of the Interior*
15 *from issuing and administering any lease for the develop-*
16 *ment and utilization of geothermal steam and associated*
17 *geothermal resources on the lands withdrawn under section*
18 *802(a) pursuant to the Geothermal Steam Act of 1970 (30*
19 *U.S.C. 1001 et seq.) and other applicable law, but no such*
20 *lease shall be issued without the concurrence of the Sec-*
21 *retary of the Navy.*

22 (6) *This title shall not affect the geothermal explo-*
23 *ration and development authority of the Secretary of the*
24 *Navy under section 2689 of title 10, United States Code,*
25 *except that the Secretary of the Navy shall obtain the con-*

1 currence of the Secretary of the Interior before taking action
 2 under that section with respect to the lands withdrawn
 3 under section 802(a).

4 (7) Upon the expiration of the withdrawal made by
 5 subsection (a) of section 802 or relinquishment of the lands
 6 withdrawn by that subsection, Navy contracts for the devel-
 7 opment of geothermal resources at China Lake then in effect
 8 (including amendments or renewals by the Navy after the
 9 date of enactment of this Act) shall remain in effect: Pro-
 10 vided, That the Secretary of the Interior, with the consent
 11 of the Secretary of the Navy, may offer to substitute a stand-
 12 ard geothermal lease for any such contract.

13 (h) *MANAGEMENT OF EL CENTRO RANGES.*—To the
 14 extent consistent with this title, the lands and minerals
 15 within the areas described in section 802(c) shall be man-
 16 aged in accordance with the Cooperative Agreement entered
 17 into between the Bureau of Land Management, Bureau of
 18 Reclamation, and the Department of the Navy, dated June
 19 29, 1987.

20 **SEC. 805. DURATION OF WITHDRAWALS.**

21 (a) *DURATION.*—The withdrawal and reservation es-
 22 tablished by this title shall terminate 15 years after the date
 23 of enactment of this Act.

24 (b) *DRAFT ENVIRONMENTAL IMPACT STATEMENT.*—No
 25 later than 12 years after the date of enactment of this Act,

1 *the Secretary of the Navy shall publish a draft environ-*
 2 *mental impact statement concerning continued or renewed*
 3 *withdrawal of any portion of the lands withdrawn by this*
 4 *title for which that Secretary intends to seek such continued*
 5 *or renewed withdrawal. Such draft environmental impact*
 6 *statement shall be consistent with the requirements of the*
 7 *National Environmental Policy Act of 1969 (42 U.S.C.*
 8 *4321 et seq.) applicable to such a draft environmental im-*
 9 *pact statement. Prior to the termination date specified in*
 10 *subsection (a), the Secretary of the Navy shall hold a public*
 11 *hearing on any draft environmental impact statement pub-*
 12 *lished pursuant to this subsection. Such hearing shall be*
 13 *held in the State of California in order to receive public*
 14 *comments on the alternatives and other matters included*
 15 *in such draft environmental impact statement.*

16 *(c) EXTENSIONS OR RENEWALS.—The withdrawals es-*
 17 *tablished by this title may not be extended or renewed except*
 18 *by an Act or joint resolution.*

19 **SEC. 806. ONGOING DECONTAMINATION.**

20 *(a) PROGRAM.—Throughout the duration of the with-*
 21 *drawals made by this title, the Secretary of the Navy, to*
 22 *the extent funds are made available, shall maintain a pro-*
 23 *gram of decontamination of lands withdrawn by this title*
 24 *at least at the level of decontamination activities performed*
 25 *on such lands in fiscal year 1986.*

1 (b) *REPORTS.*—At the same time as the President
2 transmits to the Congress the President's proposed budget
3 for the first fiscal year beginning after the date of enactment
4 of this Act and for each subsequent fiscal year, the Secretary
5 of the Navy shall transmit to the Committees on Appropria-
6 tions, Armed Services, and Energy and Natural Resources
7 of the Senate and to the Committees on Appropriations,
8 Armed Services, and Natural Resources of the House of
9 Representatives a description of the decontamination efforts
10 undertaken during the previous fiscal year on such lands
11 and the decontamination activities proposed for such lands
12 during the next fiscal year including:

13 (1) *amounts appropriated and obligated or ex-*
14 *pended for decontamination of such lands;*

15 (2) *the methods used to decontaminate such*
16 *lands;*

17 (3) *amount and types of contaminants removed*
18 *from such lands;*

19 (4) *estimated types and amounts of residual con-*
20 *tamination on such lands; and*

21 (5) *an estimate of the costs for full decontamina-*
22 *tion of such lands and the estimate of the time to*
23 *complete such decontamination.*

1 **SEC. 807. REQUIREMENTS FOR RENEWAL.**

2 (a) *NOTICE AND FILING.*—(1) *No later than three*
3 *years prior to the termination of the withdrawal and res-*
4 *ervation established by this title, the Secretary of the Navy*
5 *shall advise the Secretary of the Interior as to whether or*
6 *not the Secretary of the Navy will have a continuing mili-*
7 *tary need for any of the lands withdrawn under section 802*
8 *after the termination date of such withdrawal and reserva-*
9 *tion.*

10 (2) *If the Secretary of the Navy concludes that there*
11 *will be a continuing military need for any of such lands*
12 *after the termination date, the Secretary shall file an appli-*
13 *cation for extension of the withdrawal and reservation of*
14 *such needed lands in accordance with the regulations and*
15 *procedures of the Department of the Interior applicable to*
16 *the extension of withdrawals of lands for military uses.*

17 (3) *If, during the period of withdrawal and reserva-*
18 *tion, the Secretary of the Navy decides to relinquish all or*
19 *any of the lands withdrawn and reserved by this title, the*
20 *Secretary shall file a notice of intention to relinquish with*
21 *the Secretary of the Interior.*

22 (b) *CONTAMINATION.*—(1) *Before transmitting a notice*
23 *of intention to relinquish pursuant to subsection (a), the*
24 *Secretary of Defense, acting through the Department of*
25 *Navy, shall prepare a written determination concerning*
26 *whether and to what extent the lands that are to be relin-*

1 *quished are contaminated with explosive, toxic, or other*
 2 *hazardous materials.*

3 (2) *A copy of such determination shall be transmitted*
 4 *with the notice of intention to relinquish.*

5 (3) *Copies of both the notice of intention to relinquish*
 6 *and the determination concerning the contaminated state*
 7 *of the lands shall be published in the Federal Register by*
 8 *the Secretary of the Interior.*

9 (c) *DECONTAMINATION.*—*If any land which is the sub-*
 10 *ject of a notice of intention to relinquish pursuant to sub-*
 11 *section (a) is contaminated, and the Secretary of the Inte-*
 12 *rior, in consultation with the Secretary of the Navy, deter-*
 13 *mines that decontamination is practicable and economi-*
 14 *cally feasible (taking into consideration the potential future*
 15 *use and value of the land) and that upon decontamination,*
 16 *the land could be opened to operation of some or all of the*
 17 *public land laws, including the mining laws, the Secretary*
 18 *of the Navy shall decontaminate the land to the extent that*
 19 *funds are appropriated for such purpose.*

20 (d) *ALTERNATIVES.*—*If the Secretary of the Interior,*
 21 *after consultation with the Secretary of the Navy, concludes*
 22 *that decontamination of any land which is the subject of*
 23 *a notice of intention to relinquish pursuant to subsection*
 24 *(a) is not practicable or economically feasible, or that the*
 25 *land cannot be decontaminated sufficiently to be opened to*

1 *operation of some or all of the public land laws, or if Con-*
 2 *gress does not appropriate a sufficient amount of funds for*
 3 *the decontamination of such land, the Secretary of the Inte-*
 4 *rior shall not be required to accept the land proposed for*
 5 *relinquishment.*

6 *(e) STATUS OF CONTAMINATED LANDS.—If, because of*
 7 *their contaminated state, the Secretary of the Interior de-*
 8 *clines to accept jurisdiction over lands withdrawn by this*
 9 *title which have been proposed for relinquishment, or if at*
 10 *the expiration of the withdrawal made by this title the Sec-*
 11 *retary of the Interior determines that some of the lands*
 12 *withdrawn by this title are contaminated to an extent*
 13 *which prevents opening such contaminated lands to oper-*
 14 *ation of the public land laws—*

15 *(1) the Secretary of the Navy shall take appro-*
 16 *priate steps to warn the public of the contaminated*
 17 *state of such lands and any risks associated with*
 18 *entry onto such lands;*

19 *(2) after the expiration of the withdrawal, the*
 20 *Secretary of the Navy shall undertake no activities on*
 21 *such lands except in connection with decontamination*
 22 *of such lands; and*

23 *(3) the Secretary of the Navy shall report to the*
 24 *Secretary of the Interior and to the Congress concern-*

1 *ing the status of such lands and all actions taken in*
 2 *furtherance of this subsection.*

3 *(f) REVOCATION AUTHORITY.—Notwithstanding any*
 4 *other provision of law, the Secretary of the Interior, upon*
 5 *deciding that it is in the public interest to accept jurisdic-*
 6 *tion over lands proposed for relinquishment pursuant to*
 7 *subsection (a), is authorized to revoke the withdrawal and*
 8 *reservation established by this title as it applies to such*
 9 *lands. Should the decision be made to revoke the withdrawal*
 10 *and reservation, the Secretary of the Interior shall publish*
 11 *in the Federal Register an appropriate order which shall—*
 12 *(1) terminate the withdrawal and reservation;*
 13 *(2) constitute official acceptance of full jurisdic-*
 14 *tion over the lands by the Secretary of the Interior;*
 15 *and*
 16 *(3) state the date upon which the lands will be*
 17 *opened to the operation of some or all of the public*
 18 *lands laws, including the mining laws.*

19 **SEC. 808. DELEGABILITY.**

20 *(a) DEFENSE.—The functions of the Secretary of De-*
 21 *fense or the Secretary of the Navy under this title may be*
 22 *delegated.*

23 *(b) INTERIOR.—The functions of the Secretary of the*
 24 *Interior under this title may be delegated, except that an*
 25 *order described in section 807(f) may be approved and*

1 *signed only by the Secretary of the Interior, the Under Sec-*
 2 *retary of the Interior, or an Assistant Secretary of the De-*
 3 *partment of the Interior.*

4 ***SEC. 809. HUNTING, FISHING, AND TRAPPING.***

5 *All hunting, fishing, and trapping on the lands with-*
 6 *drawn by this title shall be conducted in accordance with*
 7 *the provisions of section 2671 of title 10, United States*
 8 *Code.*

9 ***SEC. 810. IMMUNITY OF UNITED STATES.***

10 *The United States and all departments or agencies*
 11 *thereof shall be held harmless and shall not be liable for*
 12 *any injury or damage to persons or property suffered in*
 13 *the course of any geothermal leasing or other authorized*
 14 *nonmilitary activity conducted on lands described in sec-*
 15 *tion 802 of this title.*

16 ***SEC. 811. MILITARY OVERFLIGHTS.***

17 *(a) EFFECT OF ACT.—(1) Nothing in this Act shall*
 18 *be construed to—*

19 *(A) restrict or preclude continuation of low-level*
 20 *military overflights, including those on existing flight*
 21 *training routes; or*

22 *(B) affect the designation of new units of special*
 23 *airspace or the establishment of new flight training*
 24 *routes,*

1 *over the lands designated by this Act for inclusion within*
 2 *new or expanded units of the National Park System or Na-*
 3 *tional Wilderness Preservation System.*

4 *(2) Nothing in this Act shall be construed as requiring*
 5 *revision of existing policies or procedures applicable to the*
 6 *designation of units of special airspace or the establishment*
 7 *of flight training routes over any Federal lands affected by*
 8 *this Act.*

9 *(b) MONITORING.—The Secretary of the Interior and*
 10 *the Secretary of Defense shall monitor the effects of military*
 11 *overflights on the resources and values of the units of the*
 12 *National Park System and National Wilderness Preserva-*
 13 *tion System designated or expanded by this Act, and shall*
 14 *attempt, consistent with national security needs, to resolve*
 15 *concerns related to such overflights and to avoid or mini-*
 16 *mize adverse impacts on resources and values and visitor*
 17 *safety associated with such overflight activities.*

18 **SEC. 812. TERMINATION OF PRIOR RECLAMATION WITH-**
 19 **DRAWALS.**

20 *Except to the extent that existing Bureau of Reclama-*
 21 *tion withdrawals of public lands were identified for con-*
 22 *tinuation in Federal Register Notice Document 92-4838*
 23 *(57 Federal Register 7599, March 3, 1992), as amended by*
 24 *Federal Register Correction Notices (57 Federal Register*
 25 *19135, May 4, 1992; 57 Federal Register 19163, May 4,*

1 1992; and 58 Federal Register 30181, May 26, 1993), all
 2 existing Bureau of Reclamation withdrawals made by Sec-
 3 retarial Orders and Public Land Orders affecting public
 4 lands and Indian lands located within the California
 5 Desert Conservation Area established pursuant to section
 6 601 of the Federal Land Policy and Management Act of
 7 1976 are hereby terminated.

8 ***TITLE IX—BUY AMERICAN ACT***

9 ***SEC. 901. COMPLIANCE WITH BUY AMERICAN ACT.***

10 None of the funds made available in this Act may be
 11 expended in violation of sections 2 through 4 of the Act of
 12 March 3, 1933 (41 U.S.C. 10a–10c, popularly known as
 13 the “Buy American Act”), which are applicable to those
 14 funds.

15 ***TITLE X—PROTECTION OF BODIE*** 16 ***BOWL***

17 ***SEC. 1001. SHORT TITLE.***

18 This title may be cited as the “Bodie Protection Act
 19 of 1994”.

20 ***SEC. 1002. FINDINGS.***

21 The Congress finds that—

22 (1) the historic Bodie gold mining district in the
 23 State of California is the site of the largest and best
 24 preserved authentic ghost town in the western United
 25 States;

1 (2) the Bodie Bowl area contains important nat-
2 ural, historical, and aesthetic resources;

3 (3) Bodie was designated a National Historical
4 Landmark in 1961 and a California State Historic
5 Park in 1962, is listed on the National Register of
6 Historic Places, and is included in the Federal His-
7 toric American Buildings Survey;

8 (4) nearly 200,000 persons visit Bodie each year,
9 providing the local economy with important annual
10 tourism revenues;

11 (5) the town of Bodie is threatened by proposals
12 to explore and extract minerals: mining in the Bodie
13 Bowl area may have adverse physical and aesthetic
14 impacts on Bodie's historical integrity, cultural val-
15 ues, and ghosttown character as well as on its rec-
16 reational values and the area's flora and fauna;

17 (6) the California State Legislature, on Septem-
18 ber 4, 1990, requested the President and the Congress
19 to direct the Secretary of the Interior to protect the
20 ghosttown character, ambience, historic buildings, and
21 scenic attributes of the town of Bodie and nearby
22 areas;

23 (7) the California State Legislature also re-
24 quested the Secretary, if necessary to protect the Bodie

1 *Bowl area, to withdraw the Federal lands within the*
2 *area from all forms of mineral entry and patent;*

3 *(8) the National Park Service listed Bodie as a*
4 *priority one endangered National Historic Landmark*
5 *in its fiscal year 1990 and 1991 report to Congress*
6 *entitled "Threatened and Damaged National Historic*
7 *Landmarks" and recommended protection of the*
8 *Bodie area; and*

9 *(9) it is necessary and appropriate to provide*
10 *that all Federal lands within the Bodie Bowl area are*
11 *not subject to location, entry, and patent under the*
12 *mining laws of the United States, subject to valid ex-*
13 *isting rights, and to direct the Secretary to consult*
14 *with the Governor of the State of California before ap-*
15 *proving any mining activity plan within the Bodie*
16 *Bowl.*

17 **SEC. 1003. DEFINITIONS.**

18 *For purposes of this title:*

19 *(1) The term "Bodie Bowl" means the Federal*
20 *lands and interests in lands within the area generally*
21 *depicted on the map referred to in section 1004(a).*

22 *(2) The term "mineral activities" means any ac-*
23 *tivity involving mineral prospecting, exploration, ex-*
24 *traction, milling, beneficiation, processing, and rec-*
25 *lamation.*

1 (3) The term “Secretary” means the Secretary of
2 the Interior.

3 **SEC. 1004. APPLICABILITY OF MINERAL MINING, LEASING**
4 **AND DISPOSAL LAWS.**

5 (a) *RESTRICTION.*—Subject to valid existing rights,
6 after the date of enactment of this title Federal lands and
7 interests in lands within the area generally depicted on the
8 map entitled “Bodie Bowl” and dated June 12, 1992, shall
9 not be—

10 (1) open to the entry or location of mining and
11 mill site claims under the general mining laws of the
12 United States;

13 (2) subject to any lease under the Mineral Leas-
14 ing Act (30 U.S.C. 181 and following) or the Geo-
15 thermal Steam Act of 1970 (30 U.S.C. 100 and fol-
16 lowing), for lands within the Bodie Bowl; and

17 (3) available for disposal of mineral materials
18 under the Act of July 31, 1947, commonly known as
19 the Materials Act of 1947 (30 U.S.C. 601 and follow-
20 ing).

21 Such map shall be on file and available for public inspec-
22 tion in the Office of the Secretary, and appropriate offices
23 of the Bureau of Land Management and the National Park
24 Service. As soon as practicable after the date of enactment

1 *of this title, the Secretary shall publish a legal description*
2 *of the Bodie Bowl area in the Federal Register.*

3 (b) *VALID EXISTING RIGHTS.*—*As used in this sub-*
4 *section, the term “valid existing rights” in reference to the*
5 *general mining laws means that a mining claim located*
6 *on lands within the Bodie Bowl was properly located and*
7 *maintained under the general mining laws prior to the date*
8 *of enactment of this title, was supported by a discovery of*
9 *a valuable mineral deposit within the meaning of the gen-*
10 *eral mining laws on the date of enactment of this title, and*
11 *that such claim continues to be valid.*

12 (c) *VALIDITY REVIEW.*—*The Secretary shall undertake*
13 *an expedited program to determine the validity of all*
14 *unpatented mining claims located within the Bodie Bowl.*
15 *The expedited program shall include an examination of all*
16 *unpatented mining claims, including those for which a pat-*
17 *ent application has not been filed. If a claim is determined*
18 *to be invalid, the Secretary shall promptly declare the claim*
19 *to be null and void, except that the Secretary shall not chal-*
20 *lenge the validity of any claim located within the Bodie*
21 *Bowl for the failure to do assessment work for any period*
22 *after the date of enactment of this title. The Secretary shall*
23 *make a determination with respect to the validity of each*
24 *claim referred to under this subsection within 2 years after*
25 *the date of enactment of this title.*

1 (d) *LIMITATION ON PATENT ISSUANCE.*—

2 (1) *MINING CLAIMS.*—(A) After January 11,
3 1993, no patent shall be issued by the United States
4 for any mining claim located under the general min-
5 ing laws within the Bodie Bowl unless the Secretary
6 determines that, for the claim concerned—

7 (i) a patent application was filed with the
8 Secretary on or before such date; and

9 (ii) all requirements established under sec-
10 tions 2325 and 2326 of the Revised Statutes (30
11 U.S.C. 29 and 30) for vein or lode claims and
12 sections 2329, 2330, 2331, and 2333 of the Re-
13 vised Statutes (30 U.S.C. 35, 36, 37) for placer
14 claims were fully complied with by that date.

15 (B) If the Secretary makes the determinations
16 referred to in subparagraph (A) for any mining
17 claim, the holder of the claim shall be entitled to the
18 issuance of a patent in the same manner and degree
19 to which such claim holder would have been entitled
20 to prior to the enactment of this title, unless and
21 until such determinations are withdrawn or invali-
22 dated by the Secretary or by a court of the United
23 States.

24 (2) *MILL SITE CLAIMS.*—(A) After January 11,
25 1993, no patent shall be issued by the United States

1 *for any mill site claim located under the general min-*
2 *ing laws within the Bodie Bowl unless the Secretary*
3 *determines that, for the claim concerned—*

4 *(i) a patent application was filed with the*
5 *Secretary on or before January 11, 1993; and*

6 *(ii) all requirements applicable to such pat-*
7 *ent application were fully complied with by that*
8 *date.*

9 *(B) If the Secretary makes the determinations*
10 *referred to in subparagraph (A) for any mill site*
11 *claim, the holder of the claim shall be entitled to the*
12 *issuance of a patent in the same manner and degree*
13 *to which such claim holder would have been entitled*
14 *to prior to the enactment of this title, unless and*
15 *until such determinations are withdrawn or invali-*
16 *dated by the Secretary or by a court of the United*
17 *States.*

18 **SEC. 1005. MINERAL ACTIVITIES.**

19 *(a) IN GENERAL.—Notwithstanding the last sentence*
20 *of section 302(b) of the Federal Land Policy and Manage-*
21 *ment Act of 1976, and in accordance with this title and*
22 *other applicable law, the Secretary shall require that min-*
23 *eral activities be conducted in the Bodie Bowl so as to—*

1 (1) *avoid adverse effects on the historic, cultural,*
2 *recreational and natural resource values of the Bodie*
3 *Bowl; and*

4 (2) *minimize other adverse impacts to the envi-*
5 *ronment.*

6 (b) *RESTORATION OF EFFECTS OF MINING EXPLO-*
7 *RATION.—As soon as possible after the date of enactment*
8 *of this title, visible evidence or other effects of mining explo-*
9 *ration activity within the Bodie Bowl conducted on or after*
10 *September 1, 1988, shall be reclaimed by the operator in*
11 *accordance with regulations prescribed pursuant to sub-*
12 *section (d).*

13 (c) *ANNUAL EXPENDITURES; FILING.—The require-*
14 *ments for annual expenditures on unpatented mining*
15 *claims imposed by Revised Statute 2324 (30 U.S.C. 28)*
16 *shall not apply to any such claim located within the Bodie*
17 *Bowl. In lieu of filing the affidavit of assessment work re-*
18 *ferred to under section 314(a)(1) of the Federal Land Policy*
19 *and Management Act of 1976 (43 U.S.C. 1744(a)(1)), the*
20 *holder of any unpatented mining or mill site claim located*
21 *within the Bodie Bowl shall only be required to file the no-*
22 *tice of intention to hold the mining claim referred to in*
23 *such section 314(a)(1).*

24 (d) *REGULATIONS.—The Secretary shall promulgate*
25 *rules to implement this section, in consultation with the*

1 *Governor of the State of California, within 180 days after*
 2 *the date of enactment of this title. Such rules shall be no*
 3 *less stringent than the rules promulgated pursuant to the*
 4 *Act of September 28, 1976 entitled “An Act to provide for*
 5 *the regulation of mining activity within, and to repeal the*
 6 *application of mining laws to, areas of the National Park*
 7 *System, and for other purposes” (Public Law 94-429; 16*
 8 *U.S.C. 1901-1912).*

9 **SEC. 1006. STUDY.**

10 *Beginning as soon as possible after the date of enact-*
 11 *ment of this title, the Secretary of the Interior shall review*
 12 *possible actions to preserve the scenic character, historical*
 13 *integrity, cultural and recreational values, flora and fauna,*
 14 *and ghost town characteristics of lands and structures with-*
 15 *in the Bodie Bowl. No later than 3 years after the date*
 16 *of such enactment, the Secretary shall submit to the Com-*
 17 *mittee on Natural Resources of the United States House of*
 18 *Representatives and the Committee on Energy and Natural*
 19 *Resources of the United States Senate a report that dis-*
 20 *cusses the results of such review and makes recommenda-*
 21 *tions as to which steps (including but not limited to acqui-*
 22 *sition of lands or valid mining claims) should be under-*
 23 *taken in order to achieve these objectives.*

Amend the title so as to read: “An Act to designate certain lands in the California Desert as wilderness, to establish the Death Valley and Joshua Tree National

Parks and the Mojave National Monument, and for other purposes.”.

Attest:

Clerk.

103^D CONGRESS
2^D SESSION

S. 21

AMENDMENTS